THE ROLE OF THE PROVINCES IN PUBLIC BROADCASTING

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PREFACE

. Public broadcasting at the provincial level in Canada is distinctly educational in nature. This study reviews very briefly the development of educational broadcasting, touches on elements of federal-provincial jurisdiction, reviews separately the roles of each of the provinces, and then draws some conclusions. Its objective is to provide the Task Force members with a reasonably comprehensive overview and update of what is going on at present, what the future may hold, and the importance of public/educational broadcasting by the provinces.

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ABSTRACT

Publicly-owned broadcasting at the provincial level was started by the Manitoba government in 1923. The report of the Aird Commission in 1929 recommended an important role for the provinces. However, with the passing of the Radio Act in 1932 broadcasting became more and more a federal preoccupation and was brought firmly within federal jurisdiction and control.

Education was and is the responsibility of the provinces. Provincial interests in broadcasting have been generally in the pursuit of educational objectives. Some provinces, notably Quebec, see education and culture as inextricably bound together. It is in the area of educational broadcasting where the provinces have made and are making their greatest contributions.

Provincial involvement in educational broadcasting began in cooperation with the CBC and other broadcasters. Programs were produced and acquired essentially for use in the schools. This involvement was usually coordinated through the various departments of education beginning with radio and expanding to television. In addition, some provinces established audio-visual production and distribution centres, as did many provincial universities, for the production and distribution of educational materials.

By 1970, some provinces were anxious to establish their own educational broadcasting transmission facilities. This was allowed by the federal government through the establishment of provincial "arms length" corporations and communications authorities which were to develop, produce and distribute educational programming according to a common definition.

The 1970s saw the development of public educational broadcasting systems in Ontario, Quebec, Alberta and, by the very end, British

Columbia. The organizations and their services are different and distinctive. Some feature popular "informal" educational programming, some concentrate on more formal "schools" programming. Some use transmitters, some do not. All are distinctly educational and because their services include more than television or radio broadcasting, and because the very concept of broadcasting is under review, they are best destribed as educational communications, or even telecommunications, corporations.

In Ontario public educational television and radio developed quite separately. The Ontario Educational Communications Authority, TVOntario, began operating Channel 19 in Toronto in 1970. The OECA is both the Authority and the Corporation. A television network evolved which today reaches about 95% of the province's population. Distribution is by satellite, transmitters and cable. UHF transmitters are used in the southern urban areas so cable is the main means of distribution. Video tapes are also mailed to educational institutions. The network broadcasts sixteen to eighteen hours per day with a mix of formal, non-formal, and informal educational programming, designed for people of all ages. Although it does not broadcast news or professional sports, a wide variety of formats and styles of programming is included in the schedule. The program service is fully professional and competitive with ratings comparable to PBS in the United States. About 17% of its schedule is in French and current plans call for a dedicated French network in the province. TVOntario designs and distributes learning systems, consisting of print and other materials in support of the television programs. These are used by students in schools and by children and adults at home. In addition, it is involved in the development and use of new technologies in education, especially telidon and computers. The programs and support materials of TVOntario are purchased and used extensively by every province and territory in Canada. CJRT-FM began operating in 1949 as part of a radio announcing and production course at Ryerson in Toronto. It remained as a training ground for announcers, operators and technicians until 1964, when it came under professional management. While student produced material was still included, programming changed to include more music and a more balanced, public broadcasting, sound. Financial problems at Ryerson forced a re-evaluation of the radio service in 1973. Finally, in 1974, the station separated from the university and established itself as an independent corporation with its own Board. It operates in that capacity today, as a non-commercial, educational station dedicated to providing a cross section of high quality programs that enrich and inform. Part of its educational service is Open College which began offering courses for university credit in 1971. Courses are now offered for credit at Ryerson and York Unviersity.

Radio-Quebec originated in 1968, although from at least 1945 the government of Quebec recognized clearly the need to use electronic communications in the service of French culture in the province. The role of Authority in Quebec, originally held by two provincial Ministers, was transferred in 1979 to the Public Service Board. As the Corporation, Radio-Quebec has been the business of educational television broadcasting since 1972. It began by distributing programs via cable but in 1975 transmitters were established in Montreal. Since then a network has evolved using satellite, transmitters and cable to serve over 90% of the population. Like TVOntario, it relies on cable to reach most of its audience. Radio Quebec broadcasts about ten hours per day with a broad mix of programming. While its service includes formal education designed for students in school, its prime time schedule and most of its interest and creative energies have gone into providing entertaining, competitive, informal educational programs for people at home. It does develop and distribute learning systems, but these are mainly for its more formal educational programs. It does not believe exactly that all that is cultural is educational and vice versa, but that educational television must create and occupy a place where the two can exist comfortably. Like TVOntario, Radio-Quebec provides a fully professional, competitive broadcast service and believes that any format or style of program can be educational. A recent agreement between the former Premier of Quebec and the Prime Minister of Canada may extend the Radio-Quebec service via satellite to cable systems throughout Canada. A second educational television service, separate from Radio-Quebec, has been licensed recently. CANAL will use a low power UHF transmitter in Montreal to distribute its service to homes via cable. Satellite will carry part of the service to cable in other centres. CANAL is composed of Quebec colleges and universities and will offer a schedule of formal educational programming.

Educational television activity in the Atlantic provinces has come mainly from Memorial University in Newfoundland and the Department of Education in Nova Scotia. Now all four provinces are cooperating in providing a schedule of educational programs broadcast via the Atlantic Satellite Network, a commercial satellite to cable television service which began operating in 1983. During the first two years programs scheduled during the day served principally the formal educational needs of children in school and adults at home. While the Program Committee does not see an immediate need for its own network service, it does not close the book on this possibility sometime in the future. Over 23 hours per week is now broadcast.

Although public broadcasting at the provincial level began in Manitoba, the province is relatively inactive in this area currently. The two radio stations, CKY in Winnipeg and CKX in Brandon, which were operated by the Manitoba Telephone System beginning in 1923, were sold in 1948. Like the other provinces, the Department of Education cooperated with the CBC in providing schools programming on both radio and television and it established a media productions division to produce and distribute learning materials for the schools. An experiment was conducted in 1980/81 which brought TVOntario programming from the Anik B satellite to selected schools and homes. This was not continued. A very tentative step was taken this past year by the Department of Education to begin using some time on commercial station CKND in

Winnipeg to broadcast educational programs to children in school as well as children and adults at home. One hour per day is used for this purpose, five days per week. The station has offered four hours per day, so it is expected that this service will grow. A co-ordinator for educational television has been appointed and a small staff hired.

Saskatchewan is also not very active, currently, in educational or public broadcasting, but it is quite active in what is better described as public communications. This is especially true for the multi-media carrier service, Saskatchewan Telecommunications, SaskTel. It has completed installation of the world's longest fibre optics network which brings fully integrated services to over half the province's population. It also gives this province's industry a lead in the use of this new technology. Saskatchewan has always believed firmly in provincial jurisdiction over cable television and all "closed-circuit" television services. It established its own pay-television system, long before such services were licensed by the CRTC. SaskTel provides all long haul cable television distribution in the province. In 1974 the government created the Saskatchewan Educational Communications Corporation, known as SaskMedia, and shortly thereafter a Communications Authority. SaskMedia never applied for a licence or became a broadcaster. Its objectives were to encourage the use of all educational media and to increase and improve the learning resources available in the province. The government reduced the role of SaskMedia in 1982, and there is no longer an Authority. A new organization has been proposed, to be called the Saskatchewan Communications Advanced Network, SCAN, to carry a variety of non-commercial communications services to the public, including community television, cultural information, educational services and access to computer data bases. If approved by the government, this varied service will be delivered by SaskTel's cable/broad band network and its telephone system. A number of other experimental projects using television for education are also underway in the province.

Alberta's role in public/educational broadcasting goes back almost as far as Manitoba's, to 1927 when Radio Station CKUA was licensed to the University of Alberta. However, this province continued to have a lively interest in using broadcasting in the interest of education, both radio and television. CKUA was transferred to the provincial department of telephones in 1944 and then became a part of the Alberta Educational Communications Corporation (ACCESS) when it was established in 1973. Two independent and innovative television projects, the Calgary and Regional Educational Television Association (CARET) incorporated in 1966, and the Metropolitan Edmonton Educational Television Association (MEETA) incorporated in 1967, also became part of ACCESS Alberta in 1973. ACCESS Network now incorporates both Corporation and Authority and provides a full range of both radio and television educational services throughout the province. CKUA AM-FM reaches about 85% of the population via one AM and fourteen FM transmitters. The television service began by purchasing time on CBC and commercial stations, but now has a dedicated channel distributed via satellite to most of the cable systems in the province. No transmitters are used for the television service. CKUA AM-FM is also distributed via satellite, as well as via its transmitters. ACCESS Network television provides a full schedule of schools programs, university and college courses, and general interest or "enrichment" programs for prime time enjoyment. Similar to TVOntario, ACCESS Network develops learning systems for all its formal programming and as many as possible for its informal programming. In addition, it acts as a purchasing agent and distributor for the formal education sectors. ACCESS Network sees itself not just as a broadcaster but as a comprehensive educational communications organization serving all the people of the province. To this end it is involved in the development and use of new communications technologies.

British Columbia had only a modest involvement with educational communications up to the establishment of the Knowledge Network of the West Communications Authority in 1980. There was the typical Department of Education cooperation with the CBC in schools broadcasts and some local experimentation. Several major studies in the latter part of the 1970s led to the development of the Knowledge Network. The role of this Authority is to work with the educational system to ensure that every person in the province has access to educational programming. The Network is the public television service of the Authority. Essentially, it is in the service of the formal education system. It has developed and maintains two kinds of delivery systems, both of which rely on satellites and cable. No transmitters are used. One kind is a multi-channel one or two-way, truly closed-circuit, service available for the private use of various educational institutions. The other is a single channel service available to the general public. Because the various institutions are responsible for providing much of the programming, the education tends to be quite formal. Schools programs and adult tele-courses fill much of the time. However, there are some informal educational programs and this is clearly an area for growth. The Knowledge Network provides a comprehensive system of educational support services for the programming it distributes. Interestingly enough, while the term Authority is used in British Columbia, no reference has been made to the CRTC for a licence for any of the television services. British Columbia has been among the most vocal of the provinces in insisting that cable and satellite to cable services are closed-circuit, not broadcasting, and within provincial jurisdiction.

Every province in Canada is now involved, to a greater or lesser extent, in what may be called public broadcasting, or, perhaps better, public communications. The provinces are spending, currently, well over $100 million per year on this activity and this is increasing rapidly. They all see this communications activity as important for their own cultural, social, political and economic development. Most of it shares a common goal or mandate; to provide educational opportunities, using electronic and other means, to the various audiences or markets which make up each province.

New communications policy in Canada should:

- Recognize and support the distinctive, dynamic and developing educational communications organizations and activities in the provinces, and appreciate that education is not seen as a constraint or impediment to successful radio or television production and broadcasting. Indeed, the reverse is true.

- Understand the importance to the provinces of regional cultural, social, political, economic, as well as educational development; that a region's culture can be reflected best by people who live and work there; and that this is becoming an increasingly important role for public broadcasting at the provincial level.

- Appreciate the growing financial and spiritual support of the provinces for regional production and how this may, perhaps with some federal assistance, better meet national as well as provincial objectives.

- Facilitate and support the national distribution of the best Canadian programming produced in the regions by the provincial communications organizations.

- Permit the provinces and their educational communications Corporations and Authorities to be masters in their own houses when it comes to defining what is educational programming as well as the supervision and, where necessary, the licensing of publicly funded provincial educational communications services.

- Direct the Canadian Radio-Television and Telecommunications Commission to cooperate and consult with the provinces and their authorities to make sure that no private sector "educational" broadcasting service is licensed which would involve a province in a financial commitment it did not want or could not afford and to assure priority carriage on cable for the provincial public television and radio services whether or not these services use transmitters.

THE ROLE OF THE PROVINCES IN PUBLIC BROADCASTING

CHAPTER I

THE DEVELOPMENT OF PUBLIC BROADCASTING IN THE PROVINCES

Although experimental broadcasting by station XWA in Montreal began in 1919, radio broadcasting began officially in Canada in 1920. Publicly-owned broadcasting was actually started at the provincial level by the Manitoba government by a 1923 agreement with the federal government. The station was CKY, and the government received funds from radio licenses to operate it. With the exception of CKY and the stations owned by the CNR, radio stations in Canada were privately owned and relied on advertising revenue.

The first Royal Commission on Broadcasting, headed by Sir John Aird was appointed in 1928 and reported in 1929. It recommended that broadcasting be placed on a basis of public service and that the stations providing a service of this kind should be owned and operated by one national company; that provincial authorities should have full control over the programs of the station or stations in their respective areas; that a provincial radio broadcasting director should be appointed for each province to have full control of the programs broadcast by the station or stations in his province; that the Board of the (national) company should be composed of twelve members, three representing the Dominion and one representative each of the provinces; and that pending the inauguration and completion of the proposed system, a provincial service should be provided through certain of the existing stations which should be continued in operation by the Canadian Radio

Broadcasting Company.[1]

The report of the Aird Commission firmly established an important role for the provinces in public broadcasting. The recommendations suggest program control via a provincial director and possibly a Commission, as well as the establishment of an advisory council for each province. The issue of jurisdiction developed during the 1930s and was referred to the Supreme Court of Canada by the Premier of Quebec. The Court found that the regulation of radio was within the jurisdiction of the Parliament of Canada. The decision was appealed to the Judicial Committee of the Privy Council but, again, the decision was for federal jurisdiction.[2]

When the future of Canadian broadcasting went before the Special Committee on Radio Broadcasting in 1932 the Canadian Radio League pressed for a system of public broadcasting. The Ontario Radio League, however, was one of the loudest voices in opposition to public broadcasting and in favour of a privately owned system. The Canadian Radio Broadcasting Act became law in May, 1932 and established a national public system operated by the Canadian Radio Broadcasting Commission. A second Broadcasting Act, in 1936, replaced the C.R.B.C. with the Canadian Broadcasting Corporation (CBC) and established it as a major force in the system.[3] Although most of the stations on the CBC network were privately owned, national public broadcasting was well established. The CBC Board of Governors was chosen to give representation to the principal geographical divisions in Canada.

The CBC began broadcasting formal educational programs in 1942, under the guidance of a national advisory council on school broadcasts. Daily thirty minute programs were designed to be listened to and used in the schools. All were produced in co-operation with educational authorities in the various provinces. This was done to reflect the constitutional position regarding the division of powers between the federal and provincial governments. Education is the responsibility of the provinces; broadcasting the responsibility of the federal government. Educational broadcasting was caught in the middle.

The British North America Act, of 1867, provides for the distribution of legislative powers in sections 91 and 92. The provincial jurisdictions are prescribed in section 92. Basically, they entail "all matters of a merely local or private nature in the province" (section 92(16)). However, section 92(10)(a) sets out expectations in the class of "Local Works and Undertakings." The result is that the federal government is given jurisdiction over "Lines of Steam or other Ships, Railways, Canals, Telegraphs, and other Works and Undertakings connecting the Province with any other or others of the Provinces, or extending beyond the Limits of the Province." While broadcasting was not a factor in 1867, it is argued that it is an undertaking that extends beyond the limited of a province.

Even if it were argued, and it has been, that broadcasting is not explicitly dealt with in the BNA Act, federal jurisdiction would still prevail by virtue of the opening clause of section 91. This provision states that "It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces."

Section 93 of the Act rests jurisdiction in the legislature of the provinces to make laws with regard to education. Since educational broadcasting includes both jurisdictions, constitutional arguments were inevitable. These arguments slowed the growth of educational broadcasting and the involvement of the provinces in this activity.[4]

By the late 1940s and early 1950s television became a major issue in broadcasting. The Royal Commission on National Development in Arts, Letters and Sciences, the Massey Commission, was appointed in 1949. In its 1951 report it recommended a national public television broadcasting system, under the CBC, and it indicated two chief objectives for such a national system, national unity and education.[5]

The third Royal Commission to deal with broadcasting, the Fowler Commission, reported in 1957 that "in Canada there appears to be four principal functions which we expect our (public and private) broadcasters to discharge." These were listed as 1) to inform (news, public events, the reporting of facts), 2) to enlighten (interpretation of the news, education, discussion, debate on the facts), 3) to entertain (enjoyment, relaxation), 4) to sell goods. The Commission went on to say that there must be a balance between these various components.

While education, in a general sense, was considered to be an important objective of all broadcasting in Canada, there was a distinction made between this and the more specific educational or schools programming produced by the CBC and, to a lesser extent, by some private broadcasters in co-operation with provincial ministries and educators. At the request of the advisory council on school broadcasts, experimental television broadcasts began in 1954. Five provinces were involved with the CBC (Nova Scotia, Quebec, Ontario, Saskatchewan, and Alberta.) These television broadcasts, as with the radio broadcasts before them, were designed to be used by students and teachers in the classroom. They were "schools" programs in the strictest sense. In order to satisfy their various responsibilities and jurisdictions, the provinces shared costs with the CBC and negotiated agreements.[6] As television broadcasting developed and expanded, educators, broadcasters, and a variety of social commentators, in Canada and internationally, saw an almost unlimited potential for television to bring education into the home. By 1960 university courses began to appear on Canadian television, some offered by CBLT in Toronto (French) and CHCH in Hamilton (Biology) during the 1959-60/61 television seasons. Also, during the early 1960s television began to be used as a medium for instruction in Canadian universities. Closed circuit systems used cable to connect origination studios to classrooms and laboratories throughout the campus.

During the early to mid 1960s the CBC presented on the national network (English) approximately sixty half hours of television programming each year for in-school use. Canadian School Telecasts were planned in cooperation with representatives from all provincial departments of education as well as the Canadian Teachers' Federation and were broadcast twice weekly during the school year. The programs were designed to be generally applicable in all provinces and were based on elements common to provincial curricula. In addition to the Canadian School Telecases, the regional CBC production centres produced for departments of education in-school programming which was oriented more directly towards provincial curricula. These programs were produced with departments of education on a cost sharing basis. All provincial educational television programs in British Columbia, Alberta, Saskatchewan, Manitoba, Quebec (English), Nova Scotia and Newfoundland were produced by the CBC in co-operation with the respective departments of education. In most cases, the department was responsible for educational content, the writing of scripts, selection of teachers and other performers, the payment of the direct production costs, the research, surveys, advice on classroom utilization and the provision of printed material to be used in conjunction with the telecasts. The CBC supplied studio facilities, technicians, directors, administrative personnel and, along with private stations, transmission facilities and air time. In Quebec additional programs were produced in co-operation with Radio-Quebec, and the French arm of CBC. These included both radio and television programs. In Ontario, the educational television branch of the Department of Education financed all aspects of its provincial programming. Studio facilities were rented, freelance script writers and producers were hired as needed, while the branch itself maintained a staff of researchers, resource utilization people, technicians and administrators. The three Maritime Provinces used programs produced in Nova Scotia.[7]

In addition to this schools programming, the CTV television network contributed to the development of educational television and to the training of on-camera presenters through "University of the Air." This yearly series of half-hour programs was broadcast each week-day morning from mid-September to mid-June. It was made up of lectures prepared by a variety of university teachers in cooperation with CTV affiliate stations across Canada.

The use of television for education developed rapidly in the 1960s. Its proponents envisaged a full-time formal and informal educational service for schools, colleges, universities, and adult education. Various schemes for educational television networks were proposed. A basic concept, both for the networks and for the way television was perceived to be used in the classroom, was that "super teachers" would present lessons via television, using whatever visuals were appropriate to improve the quality of the lessons. Students would watch the lessons in classrooms or large theatres where classroom teachers would answer questions and enforce discipline, or, in the case of university, adult learners, at home alone. In this latter case, the students usually had the opportunity to visit the university on specific dates in order to meet the teacher and ask questions. The process grew complicated, and began to cause some jurisdictional difficulties when it became obvious that the "master teacher" approach could be done most efficiently on a national, or indeed, international basis.

A national educational television conference was held in Toronto in May, 1961. Out of that meeting came a request to the broadcast regulator, the Board of Broadcast Governors, to convene a meeting to consider the issue of educational broadcasting. The BBG agreed, but their agreement was conditional on support from the provincial ministers of education. That support was given in September 1962 and the meeting was held in Toronto in March, 1964. Ultimately the BBG was asked to formulate a policy on educational broadcasting for Canada. After some research, it was found that educators were not convinced of the value of educational television in the classroom, and there were conflicting reports as to the extent that the CBC school broadcasts were actually used in schools. With the benefit of hindsight, one of the reasons for the failure of this early use of television to meet educational objectives can be traced to the relatively poor quality of the programs, but other reasons included the reticence of many teachers to have "masters" intrude into their classrooms, and concerns relating to provincial jurisdiction. Federal authorities were afraid that granting a licence for a broadcasting station to a provincial government for educational purposes would give away control over a segment of the Canadian broadcasting system. Provincial authorities feared that accepting a federally licensed educational broadcasting system would give federal authorities control over a segment of the educational system. As a result of its research, and the reality of the jurisdictional issue, the BBG came to the conclusion outlined in its annual report for 1964-65, that federal official should only facilitate educational television and that its future depended on the provinces.[8]

However, this by no means brought the issue to a close. The BBG believed that the extension of television broadcasting services to some areas of Canada would require the use of UHF channels. A hearing was held in October, 1966, to consider the use of UHF. Thirty-eight briefs were received, the most interesting and innovative of which was from Ken Soble of CHCH-TV in Hamilton. He proposed to form a company to own and operate a national television network in both official languages consisting of a satellite feeding a series of transmitters at strategic locations across Canada. This proposal was referred to a cabinet committee and, subsequently, the BBG approved an application by a company to be incorporated, called NTV Communications Ltd., for authority to form a national television network in Canada. Under the Board's procedure, that authority only permitted Mr. Soble and his colleagues to develop detailed plans for the network. Those plans provided an impetus to the educational television debate because the daytime programming of NTV was based on a minimum of 15 hours per week of education on the English service and another 15 hours on the French service. Although NTV invited the provinces to provide the programming, it would have been difficult for them to exercise control. To add to the difficulty and complexity of the issue, in December of 1966 the government asked the BBG for plans for the introduction of educational television. Some plans called for a crown corporation which would include all educational broadcasting stations and networks in Canada.[9] Neither of these plans were fulfilled. The untimely death of Ken Soble derailed the NTV proposal, although the application was pursued for several years under the direction of Al Bruner. Provincial opposition stalled the formation of a national crown corporation to administer and co-ordinate the introduction of educational television.

The 1965 Report of the Federal Advisory Committee on Broadcasting, chaired by Robert Fowler, devoted a chapter to educational broadcasting. One recommendation was that provincial authorities be established to control broadcasting, on the condition that they be independent of control by the provincial governments. In the White Paper on Broadcasting, released in 1966, the Secretary of State, Judy LaMarsh, declared the intention of the federal government to deal with the issue. The government then went on to declare its intention to create a new federal educational broadcasting agency which could enter into agreements with the provinces in order to meet the needs of provincial educational systems. This was never incorporated into the new Broadcasting Act which emerged in 1968. The only reference to educational broadcasting is in Section 3(1)(i) which says that "facilities whould be provided within the Canadian broadcasting system for educational broadcasting," thus leaving it subject to the federal regulatory authority.

With the Broadcasting Act of 1968 the Board of Broadcast Governors was replaced by the Canadian Radio-Television Commission. The CRTC was from its beginning a more activist regulator than the BBG had been. The BBG had considered itself more of an administrative agency, established to administer policies and legislation given to it by Parliament. The CRTC played a more aggressive role in policy development and making.[10] One of its most immediate tasks was to bring the fast expanding cable television industry within the regulatory framework as part of the Canadian broadcasting system.

Very quickly the Commission became involved in the issue of educational broadcasting. In 1968, Al Bruner, as President of NTV, presented a written plan in August.[11] The Honourable Gerard Pelletier, the new Secretary of State, announced that the government intended to open up UHF television channels and that television sets should be fitted for both VHF and UHF channel reception capacity. In March, 1968, he introduced Bill C-179 for the establishment of the Canadian Educational Broadcasting Agency. This new agency was to hold licences, operate educational broadcasting facilities, and negotiate with provincial authorities for their use. The provincial authorities were to have the respondibility for production and programming with the federal authorities retaining responsibility for the transmission facilities. The draft legislation for this bill defined educational programs as having three primary characteristics or objectives: 1) the systematic acquisition or improvement of knowledge; 2) the achievement of this first objective through regular and progressive programming; and 3) that the results would be subject to supervision. This definition was deemed to be too restrictive by the provinces. A working committee consisting of representatives of the Council of Ministers of Education and the Secretary of State was established and did come up with an acceptable definition. In November, 1969, under pressure from the provinces, Bill C-179 was withdrawn.

A Quebec provincial election was held in March, 1969, following the death of Daniel Johnson. The new Premier, Jean-Jacques Bertrand, introduced the Quebec Broadcasting Bureau Act. In effect, this bill served to update an unused 1945 Act which had constituted Radio-Quebec. The powers conferred on the Bureau under the Act, which was passed in October, 1969, were broader than those proposed in the federal Bill C-179. This was a major contributing factor to the withdrawal of the federal bill just weeks later.

Educational television was developing in both Ontario and Alberta with time being purchased on existing broadcasting stations. Both federal and provincial officials foresaw the need for a full channel. Encouraged by Quebec's initiative in moving to establish a provincially owned and operated service, Ontario and Alberta pressured the federal government to change its policy of not issuing broadcasting licences to provincial governments or their agents. A resolution to this impasse was not found until 1972, but an interim agreement was reached whereby educational television facilities were provided under a special agreement with the CBC and provincial educational communications authorities provided the programming.[12] In addition, as broadcasting receiving undertakings were brought under the regulatory power of the CRTC they were obliged to make at least one channel available for educational programming. These two items were spelled out in federal Order-in-Council 1970-496 to the CRTC, as was the agreed upon definition of educational programming.

On August 1, 1969, the CRTC granted a licence to the CBC for a television broadcasting station at Edmonton for a three year period. It was to broadcast CBC French-language programs and a schedule of programs from the Metropolitan Edmonton Educational Television Association. At the end of this period the station would become a part of the CBC French-language network. On January 30, 1970, the CRTC granted a licence to the CBC for a new television station to be operated on Channel 19 in Toronto.[13]

Throughout this period, there was widespread discussion and debate surrounding an acceptable definition of educational programming. Part of this was prompted by the desire of the provinces, principally Ontario and Quebec, to have clear jurisdiction, and part by concerns of the CBC and other broadcasters about competition. The provinces wanted educational programming to be "distinctly different" in order to retain control and to be able to move into the broadcasting business; the broadcasters wanted it to be "distinctly different" so that it would retain its "lecture" format and not compete for audiences. The Council of Ministers of Education, through their Instructional Media Committee, were directly involved in the negotiations between federal and provincial officials regarding the definition. The objective of Ontario, and of Quebec, was to get the use of a broadcasting transmitter. A workable definition was presented to the Council of Ministers and the Secretary of State in December of 1969. It was subsequently approved by both the federal and provincial governments, included in federal Order-in-Council 1970-496, and became a condition of licence when Channel 19 was approved by the CRTC in January, 1970.

The agreed upon definition of educational programming was as follows: 1. Programming designed to be presented in such a context as to provide a continuity of learning opportunity aimed at the acquisition or improvement of knowledge or the enlargement of understanding of members of the audience to whom such programming is directed, and under circumstances such that the acquisition or improvement of such knowledge or enlargement of such understanding is subject to supervision or assessment by the provincial authority by any appropriate means. 2. Programming providing information on available courses of instruction or involving the broadcasting of special educational events within the system. The statement went on to say that: "the intention of the above provision is to ensure that such programming, taken as a whole, shall be designed to furnish educational opportunities and shall be distinctly different from general broadcasting available on the public or private channels."[14] This definition provided the connecting point between federal and provincial jurisdictions. It is important to understand, however, that this was, primarily, a definition for the use of a transmitter. It was not meant or intended to be some kind of universal, sacred and unchangeable definition of educational programming for all purposes. This is especially important today when the use of new communications technologies cannot be defined precisely as broadcasting at all. Almost from its formulation, the definition has been interpreted liberally and creatively. There need be no restrictions today. Part of the agreement in 1969 was that the definition would be bi-lingual, to apply to the educational broadcasting aspirations of both Ontario and Quebec. It was agreed, further, that if there were to be any disagreement between the meanings in the English and French versions, the broader interpretation would prevail. This allowed for a broader interpretation of education as part of culture used by Quebec. It allows also for a broader interpretation in this same regard by Ontario, but it was never deemed to be necessary.

Quebec had participated, somewhat reluctantly in these negotiations. Because of the importance of communications in the maintenance and development of French culture in the province there was general opporition to centralized policies and federal control. Quebec paid only slight attention to the federal-provincial definition and threatened to move ahead unilaterally with its own educational broadcasting system if the federal restriction on provincial ownership of broadcasting facilities was not lifted. This threat, combined with pressure from Ontario, moved the federal government to issue new directions to the CRTC. By virtue of federal Order-in-Council PC1972-1569, certain exceptions were allowed in the new class of broadcast licensees. While "Agents of Her Majesty in right of province" could still not hold a licence, an "independent corporation" could. The Order-in-Council explained that: "Independent corporation means a corporation that the Canadian Radio-Television Commission is satisfied is not directly controlled by Her Majesty in right of province or by a municipal government and that is designated by statue or by the Lieutenant-Governor-in-Council of a province for the purpose of broadcasting the following types of programming."[15] The definition of educational programming followed. The Order-in-Council stated further, that, "Provincial Authority means a person, body or authority as may be designated by the Lieutenant-Governor-in-Council of a province as the provincial authority for that province for the purpose of this direction."

The creation of an educational communications authority was, therefore, a legal mechanism which allowed a province to own and operate a broadcasting transmitting undertaking and which guaranteed priority carriage by a broadcasting receiving undertaking. Federal Order-in-Council 1970-496 directed the CRTC to stipulate in the issuing and renewal of cable licences, the reservation of one channel for use by a "provincial authority" for educational programming. PC1972-1569 directed the Commission that broadcasting licences could not be granted to provincial governments but only to "independent corporations" involved in "educational programming." Both "Provincial Authority" and "educational programming" were defined in both orders.

The rationale and need for such an Authority, or corporation, rested on the federal jurisdiction over broadcasting and a general understanding of the meaning of that term. As the concept of broadcasting was undermined by the new technologies of cable and satellites all concepts, and all definitions, were increasingly challenged. Currently in Canada the provinces of Ontario, Quebec, Alberta, British Columbia, and Nova Scotia have educational communications authorities. (Saskatchewan had one but it was abolished in 1982.) Even when some do not have "broadcasting" facilities, the independent authority concept is still used as a bulwark against federal incursion and as a lever to secure priority carriage on cable.

Throughout the 1970s and, of course, the 1980s, broadcasting and the policies relating to it have been considered vital to the distribution, and the development, of Canadian culture. From its beginning, broadcasting in Canada has been an instrument of public policy, in contrast to the United States, for example, where it has been seen, almost solely, as an instrument of commercial enterprise. The purpose of the Canadian content regulations, first introduced by the BBG, and then expanded and refined by the CRTC, was to implement policy stated by Parliament in the Broadcasting Act.

An undercurrent of broadcasting policy development during the early 1970s was the potential of cable to integrate broadcasting and telecommunication common carriers into the "wired nation" concept. Because of this potential the provincial governments wanted a voice in cable policy development and cable regulation.[16] In March, 1971, Ontario announced its intention to create a new department of transportation and communications which would develop telecommunications policy for the province.[17] In April, 1971, Quebec's Minister of Communications, speaking on the subject of Quebec's policy on cable television, said that it was a primary concern for his government to ensure that Quebecers felt at home in their own province. He emphasized that communications was a basic factor of equal importance to education for social-cultural policy, and that both were within the jurisdiction of the province. Cable television was one of the most important considerations in this regard. The relative importance of over-the-air broadcasting was diminishing. As cable became less and less a mere conduit of live television it became of greater importance to the government of Quebec. He said that his task was to implement a single communications policy for Quebec. He wanted cable to expand and to be owned in Quebec by Quebec institutions, such as the Quebec Deposit and Investment Fund, Quebec insurance companies, Caisses Populaires or other Quebec financial institutions. He proposed to place cable television in Quebec under the jurisdiction of the Public Service Board to regulate rates, to set technical standards in co-operation with federal authorities, to promote expansion of services, to promote quality of programming, and to supervise and co-ordinate technological changes. He expressed opposition to the CRTC plan to integrate cable television into the Canadian broadcasting system.[18]

In reply to Quebec, and other provinces, the CRTC explained that the Broadcasting Act, not the CRTC, established the basis for cable policy. The Act said that broadcasting receiving undertakings were an integral part of the single Canadian system. On the other hand, Quebec and other provincial governments expressed the opinion that culture and education and some of the proposed cable services were clearly within provincial jurisdiction.[19]

Two activities in 1972/73 were of particular importance for the development of broadcasting policy. One was the beginning of satellite communication; the other was the federal government's position paper containing its proposals for a communications policy. It was felt that, with satellites and cable, the Broadcasting Act was out of date and a new policy was needed. A "green paper" was issued by the Secretary of State, Gerard Pelletier, in March, 1973. It said that the federal government was ready to enter into formal discussions with the provinces regarding telecommunications. However, it regarded the whole field of communications as a key sector that had to be subject to effective Canadian control. The paper said that it had become difficult to distinguish between the functions of broadcasting and those of the common carriers. A new federal regulatory agency was needed with effective jurisdiction over both the broadcasting and common carrier functions.[20] This led, in 1976, to the adding of Telecommunications to the responsibilities of the CRTC. In the section on federal-provincial co-operation the green paper proposed a two-tier system of regulation under which international and interprovincial aspects of the operations of all Canadian telecommunication carriers would be federally regulated. Intra-provincial aspects would be subject to provincial authority.[21]

The desires of provincial governments to have more control over cable television increased during the 1970s. During 1973/74 they had three meetings to discuss their various interests. They pressed the federal government to have communications matters solved at the political level rather than through the courts. The Minister of Communications for Quebec stressed that it was important for Quebec to have political decision-making powers over cultural areas, particularly communications, which were the increasingly privileged conveyors of cultural development. Ontario said that it should regulate cable. It wanted to participate in the planning relating to broadcasting. The existing system was inadequate because it was insensitive to the provincial needs and opinions. British Columbia objected to the centralization of the CBC and said that the CBC was less relevant to British Columbia than PBS from the United States. The Toronto-dominated and Ottawa-regulated system seriously limited production by west coast artists, writers, and producers about west coast culture. Services to be provided within a province by a communications system, whether common carrier or broadcasting, were a matter for determination and regulation primarily by provincial authorities.[22]

The Secretary of State, Gerard Pelletier, responded to these provincial concerns on behalf of the federal government. He said there was agreement for political decisions. However, the federal government was obliged to administer the law as it stood. Therefore, provincial unilateral action would make recourse to the courts inevitable.

CHAPTER 2

JURISDICTIONAL ISSUES DURING THE CONSTITUTIONAL DEBATE

The Broadcasting Act of 1968 speaks to three classes of broadcasting undertakings; transmitting, receiving, and networks. During the latter 1970s and early 1980s the jurisdictional debates between the provinces and the federal government tended to focus on the newer technologies, cable and satellites, and the concept of broadcasting vs closed-circuit television. The point of the exercise was for the provinces to get a legitimate piece of the burgeoning communications pie, for regional cultural, political, social and economic reasons. Certainly, for the past ten years at least, from 1975 to 1985, broadcasting policy discussion and debate has been conducted in a climate of crisis. Without trying to establish a primary cause for this feeling of crisis, it is safe to say that the causes were both technological and political. Political debate between 1976 and 1982 surrounding the making of the constitution emphasized federal and provincial jurisdiction. At the same time, communications technologies were challenging borders and concepts. While satellite distribution systems threatened to destroy national broadcasting policy, and perhaps Canadian culture, while communications technology was emphasizing the international, the global village, a strong sense of regional community was manifesting in Canada. This was reflected, politically, at the provincial level vis a vis the federal government, and at the federal level vis a vis international communications, i.e., services originating in the United States. The political debate surrounding the repatriation of the constitution was far broader than merely issues of communications, but the jurisdictional debate surrounding who has paramountcy of regulatory control over the various methods of communications must be seen against the larger political struggle.

In his book Canada.....Notwithstanding, Roy Romanow says that the constitutional negotiations, which began after 1976, were the product of age-old communitarian impulses in Canada, even though the immediate cause was the convergence of forces resulting from the OPEC oil cartel and the election of the Parti Quebecois in Quebec. The long-standing focus for change was "the need to respond to Quebec's demand for powers which would enable it to create a fully modern, productive francophone community in Canada and North America.[1] The ensuing struggle and negotiation highlighted two competing visions of Canada. The regionalist view of Canada, as a community of communities, was in conflict with the view of Canada as a single community with one dominant political focus. Electronic communications was seen as a central means of propagating these views. Regulatory control over the use of at least some of the technology was seen by the provinces to be a prerequisite to the development of their communities. This was felt particularly strongly in Quebec and in western Canada. Especially in Quebec, the growth of nationalism, from Bourassa's vision of "cultural sovereignty" to Levesque's "sovereignty association", demanded increased authority over communications.

In 1976 the provinces, meeting together in Edmonton, agreed in principle to a constitutional proposal which would have given them some authority over communications systems in their own regions. In October, 1978, at the First Ministers' Conference, the federal government appeared willing to devolve some of its authority to the provinces.[2] Romanow explains that in 1978 the federal government was politically weak and it was faced with strong provincial governments, in some cases fresh from electoral victories.[3] During this period, it appeared likely that the jurisdictional stranglehold of the federal government over broadcasting would be broken and a compromise reached, especially in the areas of cable and satellite to cable programming. This was the period which saw the deliberations of two important Committees; The Committee on The Implications of Telecommunications for Canadian Sovereignty and The Committee on Extension of Service to Northern and Remote Communities. Both dealt in a creative and enlightened way with the issue of the sharing of regulatory powers over communications. By 1980, however, a newly elected federal government was firmly in command, with a perceived mandate to protect its turf. Compromise was not in the cards.

Two important judgements of the Supreme Court of Canada enlightened the 1978 Conference. In both, Capital Cities Commission and Dionne, the Supreme Court rejected Quebec's claim to regulatory authority over cable television as a means to determine its own culture and language and supported the authority of the federal government. However, there was still a mood of cooperation. The provinces recognized Ottawa's role in protecting and promoting a national communications policy but there was a feeling that some of the federal authority could and should be transferred to the provinces to enable them to develop regional cultural and communications connections while not undermining national objectives. Both Saskatchewan and Nova Scotia submitted proposals which said that cable distribution and provincial telecommunications systems should be exclusively provincial. These demands were endorsed by the other provinces.[4]

Two clearly opposing views emerged from the Conference and provided the basis of discussion and debate for the next two years. The provincial position was that federal paramountcy in regulatory control should apply only in the reception and conditions of carriage of broadcast signals, the technical standards relating to the reception and carriage of those signals, and the national origin of broadcast program content. The federal position was that federal paramountcy should apply to Canadian content, Canadian broadcast programs and services, and technical standards.[5]

The provinces had severe reservations about the federal position because they believed the wording would allow federal intervention in such non-programming services as computer operations or data transmission services. They believed that the words "Canadian broadcast programs and services" would allow federal regulation of all programs and services carried by cable providing they originated from a broadcast signal. The provinces used the term broadcast signals instead of broadcast programs in order to constrain the federal powers. Finally, the provinces saw the federal proposal for control of "technical standards" as far too broad. It would have permitted federal regulation of so-called closed-circuit cable services, such as pay-TV and other non-programming services, for which the provinces claimed jurisdiction. Ottawa argued that cable had failed to serve Canada's cultural purposes, by importing so much American material, and that federal control over content was necessary if national cultural objectives were to be met. It was felt that cable could not be dealt with in isolation at least until a major study of the effect of the system on Canada's cultural needs had been completed.[6] Neither the subsequent Clyne, Therrien, or Applebaum/Hebert Committees provided a clear resolution to this impasse.

Ottawa was prepared to give a bit. The federal government was willing to grant the provinces some jurisdiction over cable hardware and franchising (cable franchises, like broadcast licenses were, and are, looked upon as valuable patronage plums) in exchange for an expansion of its role in closed-circuit cable service and programming. The federal government realized that, because of technological developments, much conventional broadcasting, as well as the so-called non-programming services such as electronic banking, would likely be delivered via cable. This worried the provinces, especially those which had provincially owned telephone systems. They wanted to leave jurisdiction over cable outside the broadcasting context. To the provinces, most aspects of cable communications were "local works and undertakings."[7]

By the summer of 1980, the Clyne and Therrien Committees had reported, and the Applebaum/Hebert Committee had been established.

Some compromise on the issue of jurisdiction should have been possible, but political positions had hardened. Prior to the September, 1980, First Ministers' Conference, Quebec had submitted a new discussion draft on this subject. It argued that "Quebec, the heartland of French Canada, feels justified in reasserting with insistence and conviction its will to assume the development and control over all communications in its territory. Communications are all the means or resources through which specific values of a community are transmitted, such as language and culture, its attitudes and way of life; it seems meaningless to us to entrust to another majority the task of developing a communications policy for Quebecers."[8] This position was consistent with the one by Quebec at the 1976 premiers' conference in Edmonton. The proposal did allow concurrency of jurisdiction, with provincial paramountcy over "communications and communication systems within the province." It allowed some exceptions for the CBC, defence and emergency communications, and frequency spectrum, where the federal government would have paramountcy. Most of the other provinces felt that this was asking for too much.

After several weeks of meetings during the summer, Ottawa tabled a new draft on communications which suggested concurrent jurisdiction. Ottawa was to have paramountcy over frequency spectrum, broadcasting, national cable undertakings, interprovincial carriers, and space and satellite carriers, including earth stations. The provinces were to be left with jurisdiction over telecommunication carriers within a province, the licensing of cable television and closed circuit systems, and programming of cable and closed circuit within a province.[9]

Clearly, this might have been the basis of a deal. Ottawa had appeared to compromise. The provinces were to gain the key area of control over cable and closed-circuit services. But, the opportunity was missed. The provinces refused to accept the proposal. They feared that the technical aspects would enable Ottawa to undo provincial policies with respect to cable and closed circuit programs. The significant issue remained, the provinces' desire to have a significant role in controlling programming on cable television. This was resisted by the federal government. For Quebec and the western provinces especially, this was seen to be paramount. In addition, the provinces wanted to protect their telecommunications carriers from being subject to federal legislation. They feared that exclusive federal regulation of interprovincial and international communications would undermine revenues generated by provincially operated or regulated telephone systems.[10]

The constitutional negotiations at the First Ministers' Conference in September of 1980 collapsed in an atmosphere of confrontation and recrimination. The following year was one of confrontation. Compromise on communications issues was not possible. Two important elections occurred. Mr. Davis was elected with a majority in Ontario as an ally of Mr. Trudeau and the federal position. In Quebec, the Parti Quebecois campaigned against the federal constitutional proposals and won. While provincial jurisdiction over communications remained a key issue in Quebec, positions softened in Ontario. The backing away of Ontario from this issue, as part of its general support for the federal government during this difficult time, effectively diffused the issue generally. Although some provinces, notably British Columbia, Alberta, and Saskatchewan, pursued unilaterally their right to control cable and closed-circuit systems, the federal government felt little pressure to compromise the position. After the constitutional accord in 1982 interests turned more to economic matters.

CHAPTER 3

THE COMMITTEES

The Consultative Committee on the Implications of Telecommunications for Canadian Sovereignty, chaired by I. V. Clyne, was appointed in November, 1978 and reported in March, 1979.

The report, like most reports since, pointed to a crisis in the communications system, "more profound than any that has affected it since the 1920s." It stressed that it is only the use of a broadcast receiving antenna that subjects cable companies to regulation under the Broadcasting Act and to federal jurisdiction.[1] Television is not exclusively broadcasting, as that term is meant by the Broadcasting Act. Programs do not have to be transmitted by Hertzian waves. They can be fed directly into a cable system and distributed to residences connected to the system. A company that does this is not a "broadcasting receiving undertaking" and is not subject to the Broadcasting Act, or, indeed, to federal jurisdiction at all.[2] Indeed, the report said that it is not improbable that within a few years a broadcaster may decide to save money by giving up the use of a transmitter and feeding programs directly into the cable systems by terrestrial connections. Such a broadcaster would no longer be subject to CRTC regulations.

The report examined a serious shortcoming in the evolution of broadcasting policy in Canada which, to some extent at least, was responsible for the difficulties in working out a satisfactory federal-provincial agreement on the issue of jurisdiction. The absence in the Broadcasting Act of 1968 of any general authority for the Governor-in-Council to give guidance to the CRTC in the implementation of the statutory broadcasting policy for Canada meant that the Commission had to determine policy for itself through an interconnected series of ad hoc decisions. These decisions had little regard for what either the federal or the provincial governments considered to be in the public interest.[3]

The Clyne Committee came out strongly in support of public broadcasting at the provincial level, i.e., educational broadcasting. The report explained that for many years it was the policy of the federal government that broadcasting licences should not be issued to provincial governments or their creatures. When the licensing authority was given to the CRTC in 1968, a formal direction in this regard was given. It was for this reason that when Channel 19 in Toronto was licensed in 1970, as the broadcasting outlet of the Ontario Educational Communications Authority, the licence was held by the CBC, even though the O.E.C.A. was responsible for all the programming. In 1972, a new direction was given to the CRTC permitting the issue of broadcasting licences to arm's length corporations established by provincial governments for the purpose of broadcasting educational programs. The CRTC had to satisfy itself regarding the independence of the broadcasting corporations. The Committee supported this saying that provincial governments are sources of funds for program production which should be welcomed when funds for that purpose are in such short supply. It urged complete freedom in the nature of programming on the provincial systems and that the "fiction about educational programming be abandoned." It pointed out that the definition of educational programming is so broad that both TVOntario and Radio Quebec are able to fill most of the evening hours with entertainment of a very general nature.[4]

Finally, the Committee came down strongly on the side of the federal government in the area of jurisdiction. It saw communications as one of the fundamental elements of sovereignty for all the people of Canada and the federal government as representing and defending this sovereignty.[5]

The Committee on Extension of Service to Northern and Remote Communities, chaired by Real Therrien, was appointed in January, 1980, and reported in July of that same year. It was created in response to cultural and industrial issues raised by satellite television and because of provincial demands for more say in the development of policy.[6] Its report is central to an understanding of the jurisdictional issues, as they related to the introduction of pay-television services, but also, in general, to the role of the provinces in providing and regulating electronic communications. The Committee itself involved federal-provincial cooperation in the direction of its mandate, selection of members and assessment of its outcome. Federal-provincial consultation and cooperation was desirable because the Broadcasting Act was silent on the question of jurisdiction over satellites and satellite-delivered services and because the whole range of new technologies, particularly the potential competition between cable operations and common carriers for so-called "non-broadcast" or "non-programming" services, presaged serious inter-jurisdictional wrangling. Exclusive federal jurisdiction was under attack.

Cable television was the first technological development to challenge federal authority over broadcasting. The constitutional basis for a provincial claim to jurisdiction over cable, as well as to satellite-to-cable services, focused on that specific portion of the cable operation which receives signals and distributes them along the cable lines. This receiving apparatus was considered to be a local work of a private nature and considered to fall within section 92 of the BNA Act. Federal disagreement with this understanding, bolstered by judicial interpretation, upheld the principle of indivisibility of transmitter and receiver. Especially in respect to satellite-to-cable services the federal argument was that the reception and distribution of nationally or internationally delivered signals, picked up by a cable system and distributed to subscribers is not a local work of a private nature, but extended beyond the limit of the province.

The provincial demands for some authority over communications reflected an important conception of the Canadian nation and their role within it. This was the "community of communities" concept. The provincial governments argued that regional communities (them) and regional identities (theirs) were at least as important as the national community and national identification. As electronic technologies developed and as the provinces came to realize the importance of electronic communications to a sense of community they refused to be subordinated completely to the federal government. The growth of cable and satellites, and the development of pay-TV, provided the provinces with the opportunity to challenge federal bedgemony.

Pay-television, whether delivered via satellite or locally, as well as other non-broadcast cable delivered services were considered by the provinces to be "closed-circuit". They said that these were outside federal jurisdiction because they were not broadcasting, or radio communication as defined by the Broadcasting Act. Radiocommunication was defined in the Act as "any transmission, emission or reception of signals, writing.....or intelligence of any nature by means of electromagnetic waves.....propagated in space without an artificial guide."[7] The issue in several legal challenges was whether a satellite was an artificial guide. It was also debated whether the scrambling of signals delivered from satellite to cable meant that the signals no longer could be defined as broadcasting since they were then not intended for direct reception by the general public. Indeed, cable itself constituted a legal business arrangement between company and customer and was not available to the general public. It was, in effect, a closed-circuit, point-to-point distribution system, and not broadcasting.

The first hearing on the subject of pay-television by the CRTC was held in 1972. The subject occupied successive hearings for almost ten years, until the licensing hearing in September, 1981. The pay television issue was a regular item on federal-provincial agendas from at least 1975 when the provinces were critical of the CRTC for refusing to move ahead with the introduction of this new service. During this period the cable industry, with the support of the provinces, had been lobbying hard for the introduction of pay-TV and the broadcasters, with the general support of the CRTC and the federal government, had been lobbying against the introduction.

During 1977, although united on the general subject of jurisdiction over pay and other "closed-circuit" programming, the provinces began to divide into three strategic camps. Saskatchewan and Quebec took the lead in passing legislation to introduce pay-TV. British Columbia shared this strong provincial rights position, but without enabling legislation. The moderates, Alberta and Ontario, limited themselves to planning. The doves were Nova Scotia and newfoundland. The other provinces made no statement on pay-TV, but only Manitoba was prepared to exclude it, and cede it to the federal government.[8]

The Saskatchewan government created a closed-circuit and interprovincial pay-TV system in 1977. The local delivery to the homes was via cable owned by the Oaskatchewan Telephone Company, SaskTel, and did not involve the cable of a federally-licensed broadcast receiving undertaking. The primary reason for this was to protect the provincial telephone system. Quebec passed legislation but never actually set up a pay-TV operation. The legislation was animated by the desire of Quebec to control communications in the province in order to control its own cultural and political destiny. The licences for pay-TV systems were to be granted by la Regie des services publique. However, the province did not proceed with licensing and never received any applications.

When the Conservative government of Joe Clark took office in June of 1979, and David MacDonald became responsible for Communications and the Secretary of State, a feeling developed that jurisdiction might be "up for grabs". MacDonald shared Clark's view of Canada as "a community of communities", each of which required unique forms of expression. He was predisposed to a cultural nationalism which "was not a wholesale federal surrender (of National Broadcasting Policy) but a search for a more just and equitable balance in the flow and content of the broadcasting system."[9] During 1979 the federal government moved to a position where it would have given jurisdiction over cable to the provinces, including the reception and redistribution of signals, while maintaining federal paramountcy over Canadian content and broadcast services.[10] The basis of an agreement in this regard was not accepted by Alberta or Quebec and the potential dissolved after the change of federal governments.

All the members of the Therrien Committee were aware of the escalating political tension. In April of 1980, British Columbia's Minister of Universities, Science and Communications, Dr. Pat McGeer, erected a satellite receiving dish on the lawn of the legislature, to publicize his "open skies" policy. A more serious confrontation developed in Saskatchewan that same year when the federally regulated cable company in Saskatoon, Saskatchewan Telecable Ltd., installed a dish to receive the proceedings of the House of Commons. An amendment to the Saskatchewan Telecommunications Act, in June, 1980, banned the attachments of equipment of this nature without the approval of SaskTel, and approval in this case was not given. The basis of the dispute was the province's right to control competition between satellite and fibre optic delivery in the province. SaskTel had developed a fibre optics network which represented a "strategy of self-containment."[11] In this case SaskTel actually jammed the cable company's reception of the Parliamentary channel, which resulted in a complaint to the CRTC by the licensee.

The Therrien Committee recognized that federal jurisdiction over broadcasting, "(was) a by-product of jurisdiction over radio-communication.....A widely held legal opinion (was) that a system delivering .....video programs and films without making use of radio communications (was) not subject to federal legislative authority, and therefore not in need of a broadcasting licence or subject to regulation by the CRTC. It (was) perfectly feasible, as (was) shown in Saskatchewan, to feed films, videotapes.....directly into a closed-circuit coaxial cable owned by the carrier for local delivery in return for subscriptions. Closed circuit television of this kind would not be amenable to federal regulations, such as Canadian-content requirement." The report summarized this section by stating that "legislative authority over communications has long been high on the agenda for constitutional reform, and it would be unwise to predict the outcome of the current discussions and negotiations in this regard, as in any other." Recommendation 33 stated that "arrangements for a Canadian pay-television system must be flexible enough to accommodate both federal and provincial legislative authority in the operations to which they may apply."[12]

The Committee was supportive of federal-provincial consultation and collaboration in the authorization of program distributors to market pay-TV services in Canada, the establishment of technical and operational standards for the equipment to be used, a review of earth station policy, and planning for the future.[13] While the Committee's report concentrated on extension of service to the north and the introduction of pay-TV services, it had important things to say about jurisdiction as it relates to the needs of the provinces, and about the role of the provinces in educational broadcasting. "Cutting across all the geographical, demographic, and linguistic requirements for broadcasting services there are the direct interests of the governments of each of the provinces and territories. Education, of course, stands first. At present, only Ontario and Quebec (and, to a lesser extent, British Columbia and Alberta) are directly providing educational broadcasting services, but the door must be kept open to accommodate the educational needs of the others in the future. Quite apart from education, those orders of government share a common concern: that of providing better amenities for people living outside the large centres of population, having regard as well to the relocation of industries that is occurring in many provinces. Television is coming to be regarded as a necessary amenity of life; its absence, or even a lack of variety in programming, may impede such relocations, and is said to have a significant impact on the turnover of employees in the resource industries in which so much of the Canadian economy depends."[14] The Committee pointed out that some provincial governments were taking action to provide or improve delivery facilities in smaller and remote communities for these very practical economic-related reasons. The report summarized the representations made by some provincial and territorial governments.

The Committee gave high priority to the inclusion of educational programming, acceptable to the provinces, in any plan for satellite service on a country-wide basis. The report referred specifically to the participation of TVOntario in DBS experiments using the 14/12 GH_z portion of the Anik B satellite. The experiment was reaching forty-six locations in northern Ontario with the TVO service. (Video tape distribution had been the only way to reach the smaller communities up to this point.) The objective for the future was to reach the entire population of the province using 14/12 GH_z to feed off-air transmitters as well as individual residences. (TVOntario has subsequently done this, using the Anik C satellite.) The report pointed out that TVOntario was interested in co-operating with other educational jurisdictions in providing an interprovincial educational service which could be carried by the four spot-beams of Anik C-1.[15]

A Decade of Diversity was generally accepted as a benchmark in the analysis of policy options in the new era of satellite technology. The report was considered to be perhaps the "least centralist" document ever to have come from the CRTC.[16] The federal Minister of Communications was now the Honourable Francis Fox of the new Liberal government. He declined two invitations to convene a federal-provincial meeting to discuss the Committee's report. A "best efforts" draft directed to federal provincial collaboration in communications was presented to the constitutional conference held in September, 1980.

With the failure of the conference, and the general rancor that resulted, the provinces moved ahead on their own to regulate so-called non-broadcast or closed-circuit undertakings. There were no federal-provincial meetings on this subject for over a year. The provincial ministers responsible for communications met in Vancouver in November, 1980, and again in Quebec City in February, 1981. The provinces, naturally, placed an emphasis on diversity, the plurality of delivery techniques, and the recognition of regional interests. They claimed that pay-TV, like other closed circuit services was under provincial jurisdiction, but that mechanisms should be developed for federal-provincial negotiations. The provinces produced a set of principles relating to the reception of satellite signals which they believed supplemented the report of the Therrien Committee. The principles stated that if one were committed to the "national dimension test" in broadcasting, then the chief threat to national identity and the broadcasting system facing the Therrien Committee was another generation of American signals. From this view, the Committee's model of "diversity" in services could be seen as a Trojan horse for American programming. On the other hand, if one were committed to the building of provincial identities and redressing the balance of exchange in the messages of broadcasting, then the challenge was to open the Canadian system to new sources of regional and provincial content. In this view, the approach to diversity recommended by the Committee emphasized a decentralist view of the system, responsive to consumer tastes; a competitive structure for reasons both of access and of jurisdiction.[17] These key issues, the value of competition, both in terms of regional access and jurisdiction, as well as the more legal constitutional issues surrounding definition of and jurisdiction over the new technologies involved in "broadcasting" were never resolved, and remain unresolved, at least formally, to this day. They relate directly to the role of the provinces in public broadcasting, or in any "broadcasting".

In a speech to the Broadcast Executive Society, delivered in Toronto in October of 1980, Mr. Fox announced the government's intention to "take appropriate action to halt unauthorized earth stations" in the south. The Department of Communications launched a case to shut down "illegal" operations in May, 1981. This case, against Lougheed Village Holdings in British Columbia, met with defeat in the provincial court. On June 11, 1981, the federal government tried again. The CRTC charged Shellbird Cable Ltd. of Cornerbrook, Newfoundland, with a breach of the cable regulations for picking up PBS from satellite and delivering it to subscribers without the authorization of the Commission. The provincial court decided for Shellbird but the Attorney General of Canada appealed to the Supreme Court of Newfoundland where the decision upheld the federal authority. This decision, and subsequent ones in the West, took some of the steam out of unilateral action, with or without provincial support, by federally licensed cable companies.

At the meeting in Quebec in February, 1981, the provinces developed a set of principles governing the reception of satellite signals which were more liberal than those held by the federal Minister of Communications at the time. The provinces agreed that "all residents have the right to receive for their own use foreign signals intended for the direct reception by the general public."[18] In effect, the provinces recognized the impossibility of regulating and policing the growing use of satellite receive dishes by individuals. It did not take long for Mr. Fox to recognize the same reality. Finally, over a year after the publication of the Therrien Committee report, the federal minister agreed to organize jointly with Manitoba a federal-provincial forum. It was held in Winnipeg in September, 1981, and led to the creation of a task force to explore joint regulatory mechanisms. It should be mentioned also, that Mr. Fox had established a Committee in August of 1980, to review cultural policies for Canada. This was the Applebaum/Hebert Committee, which reported in November of 1982. During this same period, the Department of Communications had established, rather surreptitiously, its own in-house committee to review and make recommendations on broadcasting policy. This led to the publication of A Broadcasting Strategy For Canada, by Mr. Fox, in March of 1983, following the publication of the Report of the Federal Cultural Policy Review Committee. The broadcasting strategy was really a cable strategy. It said that Canadians were entitled to as much choice as possible and that the desired means of exhibition was cable. The Minister gave up his attempt to stop individuals owning satellite receive dishes but indicated that the federal legislation would be changed to stop businesses from importing satellite signals without a federal license. In support of the concept of increased choice the CRTC called for applications to provide additional satellite delivered "specialty" services.

The Winnipeg Conference, in September, 1981, was followed by the CRTC pay-television hearings. Mr. Fox outlined the basis for federal jurisdiction and his intention to exercise federal authority. Likewise, the provinces indicated the grounds for the exercise of their jurisdiction and, in particular, this intent to license local exhibition. Quebec, which had refused to recognize the Therrien Committee, led the provincial attack. Any company wishing to offer pay-TV in the province would have to meet the conditions set by the province. However, the provinces found themselves between a rock and a hard place. There was now general public awareness about and interest in pay-television. Provincial rhetoric had stressed freedom of access to signals, and, in some cases, "open skies" in its most liberal form. Now the provincial governments found themselves unable to obstruct the federal initiative to introduce the pay-television services, even though they were still without any piece of the action. By this time, also, the federal government appeared little inclined to work out a "clear distinction" of jurisdictional responsibility. The CRTC decision on pay-TV, in March of 1982, assumed federal authority. Of the six licenses, five offered "satellite-to-cable delivery."

After the collapse of the constitutional conference in 1980, two provinces, British Columbia and Alberta, joined Quebec and Saskatchewan in putting regulatory instruments in place to licence non-broadcasting, closed-circuit, undertakings. Four other provinces, Manitoba, Newfoundland, Ontario and Nova Scotia, had plans to do the same.

On August, 1980, the British Columbia Public Utilities Act received royal assent without opposition. The Act enabled the Public Utilities Board to regulate all "conveyance or transmissions of information, messages of communications by guided or unguided magnetic waves, including systems of cable microwave, fibre optics or radio communication, where that service is offered to the public for compensation."[19] B.C. contended, and contends still today, that the CRTC did not have the authority to introduce pay-TV and that if the Commission persisted "it would undoubtedly provoke a challenge to its jurisdiction." (B.C. is still threatening to challenge federal authority as expressed in the new communications Bill C-20 which attempts to bring the new satellite to cable services clearly under federal control.) However, the threat to stop access to signals from the national general-interest pay-TV service was impossible to enforce because it was not scrambled. Also over half the province's subscribers in lucrative markets were cabled by companies which operated under federal licence and had operations in several provinces. While these companies, in general, supported the "open skies" position of the provinces, they did not look forward to two-levels of regulation and had to be careful of their existing federal licences. B.C. began to receive provincial applications for pay-TV services, but this never developed, probably because pay-TV proved to be far less lucrative than original expectations. This market reality affected other provinces as well. The province did step up its long-standing industrial strategy to develop the B.C. production industry.

Quebec passed new pay-TV regulations in March, 1982. There were five objectives: 1) reassert Quebec's jurisdiction expressed in 1978; 2) guarantee Quebec control; 3) offer service responsive to the province's socio-cultural needs; 4) ensure capital accrues to Quebec industry; 5) provide access by all citizens.[20] Pay-TV operations were to obtain a licence from the Regie and belong to the central network for pay-TV companies. It is important to emphasize that all of the provinces saw the economic benefits accruing from the new communications services, not just the cultural, social and political benefits. Most of them were anxious to encourage and expand all parts of the cultural industries, which include communications. For practical reasons similar to those in the other provinces, this very direct provincial licensing in Quebec never developed, although Quebec's socio-economic objectives were better served by pay than those of any other province, except Ontario.

In May of 1981, the Alberta legislature passed a revision of the Public Utilities Act which allowed it to regulate any undertakings which fell outside the federal definition of radiocommunications. In the spring of 1982 Alberta licensed three local non-broadcast undertakings to provide pay-TV from American satellites. Also, the same year, the government passed a Motion Picture Development Act to assist the production industry in the province. Local pay never developed.

The new Conservative government in Saskatchewan was silent on the federal pay-TV decision. But the national licence had to negotiate with SaskTel to get cable distribution. Again, because of market realities, the Saskatchewan pay-television system was forced to close down and an accommodation was reached with the federally licensed services.[21]

The Report of the Federal Cultural Policy Review Committee, published in November of 1982 had some useful things to say about the importance of regional cultural, as well as social and economic, development, and the role of broadcasting, however it is defined, in helping this regional development. The report emphasized that cultural and communications policies must be developed hand in hand and that, in addition, cultural and educational policies must be complementary. Culture includes almost everything we are and do and so incorporates both education and communications.

As a general rule, the Applebaum/Hebert Committee concluded that Canadian federal cultural policy should come down on the side of diversity. As a country with two official languages, each a link to several different cultural traditions, and with many other traditions that are all part of a complex regional society, Canada offers a unique setting for the creative process. To take the fullest advantage of this resource means allowing our various cultural traditions to reach out freely to each other.[22] The report pointed out the difficulty of determining what a region is in Canada, whether there are six, or twenty-six, for there is no region which cannot be divided into still more regions. However, even with this difficulty, cultural interests are best served when all Canadians have maximum access to cultural products and to the means of cultural expression.[23] While the Committee welcomed the support of all levels of government, federal, provincial, and municipal, to cultural activity, it came down strongly in favour of federal jurisdiction over broadcasting. Here it found concurrent activity unacceptable. The members believed that only if there is a single regulatory authority will it be possible to sustain and expand Canadian production of high quality that will serve the widest possible range of interests and tastes and provide the greatest access by Canadian talent in all parts of the country to its potential audiences.[24] In Recommendation 70 the Committee said that the CBC should rededicate itself to providing regional programming, but should phase out of local programming.

The outcome of all of this may be construed as a rather decisive jurisdictional "win" for the federal government. However, the jurisdictional issues were never really resolved. They were just laid to rest for awhile. With proper motivation, the issues could rise again from the ashes.

Certainly the focus of interest and much of the passion dissipated following the constitutional accord and the pay-television licensing in 1982. Except, perhaps, in British Columbia, the rhetoric has abated and even the attempts at licensing seemed to lack sincerity and much anticipation of success. However, there has continued to be an interest in educational networking, with the emergence of British Columbia's Knowledge Network of the West, the Council of Maritime Premiers' co-operation with the ATV-2 Network, the development of a satellite to cable television service for ACCESS in Alberta, and the continued expansion of TVOntario and Radio-Quebec.

CHAPTER 4

ONTARIO

In Ontario, public/educational radio and television have developed quite separately. The evolution has resulted in two dynamic and distinctive organizations, TVOntario and CJRT-FM. This chapter will deal first with television and then with radio.

The Department of Education in Ontario co-operated with the CBC, as did departments in other provinces, for the production of radio and then television, programs which could be used in the schools. These programs were broadcast by CBC affiliates, and then the new CTV and independent stations, across the province. Education, in a general sense, for adults in their homes, was seen to be one of the responsibilities of broadcasting, and the CBC, as well as some commercial television stations, took this responsibility seriously in the 1950s and 1960s. The CBC in Toronto produced relatively popular series such as Two For Physics, The Nature of Things, and, in 1960, a credit course in Learning French. CHCH-TV in Hamilton produced a variety of adult education programs in association with McMaster University, a formal credit course in Biology in 1960/61, and a second credit course in Music in 1961/62. In the 1960s closed circuit television for use in laboratories and to extend the reach of lecturers was introduced to Ontario universities on a grand scale. Expectations for the use of television in education were very high. One Ontario university, Scarborough College in Toronto, was designed and built around the use of television. Others, including McMaster and Queens, adapted some theatres and classrooms to the use of the new technology.

In 1959, the Metropolitan Educational Television Association, META, was formed in Toronto. Its objective was to use television broadcasting to serve the educational needs, from pre-school to adult, of the Toronto area. The Association represented the boards of education of thirteen municipalities, the University of Toronto, the Public Archives of Toronto, and the Royal Ontario Museum.

In the spring of 1961, META requested that the federal broadcasting regulator, the Board of Broadcast Governors, reserve Channel 19 in Toronto for educational purposes. This was approved by the BBG and and the federal Department of Transport. The following year the BBG approved a formal contractual arrangement between META and CFTO-TV. The agreement specified that CFTO would provide facilities for META broadcasting while META retained control of program content. Between 1959 and 1969 the number of telecasts by META expanded from 42 to 732 annually. Initially, CFTO was the broadcast outlet for META programs. CBC was involved in some co-productions and as a broadcast outlet. In 1967, CHCH-TV also began broadcasting educational programming produced by META.

META's funding was derived from participating school boards on a per-student basis. Initially the levy was five cents per student. By 1968 this had increased to sixty-nine cents per student. Due partially to insufficient financing, but also other provincial events, META's operations were terminated in June of 1971.

In May of 1965, William Davis, Minister of Education, announced the establishment of an educational television section within the Curriculum Branch of his Ministry. Its objective was to develop and co-ordinate plans for educational television. Even at this stage there were far-reaching plans for the use of television, which eventually incorporated the more local objectives of META. Mr. Davis said that "at the time that application for the Channel 19 licence is made, the Board of Broadcast Governors will be advised of the Department's intention to seek further licences for broadcasting facilities at other locations throughout Ontario. Plans will be outlined regarding the setting up of a network of stations to serve exclusively educational needs and to provide resources for those needs at all levels and branches of education within our provincial system."[1] Davis, of course, recognized the constitutional control of broadcasting by the federal government.

In March 1966, the Department of Education applied to the Board of Broadcast Governors for a licence for an educational television station. The intended use was to serve a variety of educational needs; pre-school, in-school, university teacher training, job training, and adult education. Although the application was for a licence for Toronto only, using Channel 19, the department indicated plans to expand throughout the province. The B.B.G. replied that it would hear the application on condition that the federal government approve the granting of a licence to a provincial government. The federal government refused, referring to a policy announced by C. D. Howe in 1946 that "the Government has decided that, since broadcasting is the sole responsibility of the Dominion government, broadcasting licenses shall not be issued to other governments or corporations owned by other governments."[2]

By July of 1966, the federal white paper on broadcasting, which was a precursor of the new Broadcasting Act to be passed in 1968, was more sympathetic to provincial needs. It stated that "federal policies in the field of communications must not work to impede but must facilitate the proper discharge of provincial responsibilities for education," and that "the Canadian system must be adaptable to change."[3]

In August, 1966, the Board of Broadcast Governors announced that hearings regarding the opening of the UHF band would be held in October. The Department of Education responded with a submission emphasizing the contributions that television could offer education in the province. The Minister of Education himself, William Davis, presented this submission to the B.B.G. It was the first time in Canadian history that a provincial minister had appeared before a federal regulatory body. In November, the B.B.G. reaffirmed Channel 19 for educational purposes.

As mentioned in an earlier chapter, during this period the federal government was interested in educational broadcasting, but on its own terms. This interest was reflected in the 1967 Speech from the Throne which said, that "recognizing that broadcasting is an important cultural instrument, the government supports a comprehensive and balanced national broadcasting service for Canadian of all ages, interests and tastes. Toward these ends a measure will be put before the session for better regulation and use of broadcasting privileges and responsibilities. Legislation will also be placed before Parliament concerning the provision of broadcasting facilities for educational purposes."[4] Draft legislation to that effect emerged in December, 1967, when Judy LaMarsh, then Secretary of State, announced the establishment of a Canadian Educational Broadcasting Agency. The objectives were to further educational broadcasting in Canada as necessitated. Some provisions were left for the operation of broadcasting services on behalf of provincial organizations.

Education Minister Davis responded in February, 1968, that the suggested definitions of educational programming were too restrictive and that by limiting the scope of broadcasting in this area the federal government was infringing on provincial responsibilities in education. At the same time he announced to the Ontario legislature his plans to establish an Authority for educational broadcasting in the province. This Authority was to be a Board responsible to the Minister (of Education), and through him to the legislature, for the direction and administration of educational broadcasting in Ontario. The day after making this announcement, Davis appeared before the federal Standing Committee on Broadcasting, Films and Assistance to the Arts, and reiterated these comments. He claimed that the federal government must recognize educational broadcasting and the fact that it involves elements of both jurisdictions.

In the spring of 1968, a federal task force was established to advise on problems leading to the introduction of a Canadian Educational Broadcasting Act. In addition to preparing legislation, designing the federal agency and solving definitional and cost-sharing problems, the task force was charged also to provide interim solutions for provincial endeavors. This was particularly important for Ontario which was ready to move ahead formally with educational broadcasting.

The task force recommended that the needs of Ontario be given temporary satisfaction by the CBC being licensed to provide the transmission facilities for Channel 19 in Toronto. The Secretary of State responded by directing such action. An agreement was reached between the CBC and the Ontario government which allowed the CBC to apply to the new regulatory agency, the Canadian Radio-Television Commission, for a broadcasting licence on behalf of the Ontario Department of Education in November, 1969.

On January 30, 1970, the CRTC approved the licence to the CBC, which would act as an agent for the ETV branch of the Department of Education. With this approval, Channel 19 was to become the first UHF band to be used in Canada. Bill C-43, the Act to establish the Ontario Educational Communications Authority was introduced to the provincial legislature in March, 1970. It was passed and received royal assent in June. A provincial Authority, for the purpose of carrying out educational broadcasting, was a precedent in Canada. In August, a Memorandum of Agreement between the CBC and the Ontario Department of Education was formulated. It reflected the constitutional delegation of powers between the federal and provincial governments; the CBC was to build and operate a transmitter while the OECA was to be in charge of programming within the agreed upon definition. Channel 19, CICA in Toronto, began its first full day of broadcasting on September 27, 1970.

In 1972, a landmark step was taken, which allowed the OECA to apply for a broadcasting licence on its own behalf and thereby control all aspects of its broadcasting undertaking. By virtue of the federal Order-in-Council (PC1972-1569) certain exceptions were allowed in the new class of broadcast licensees. While "Agents of Her Majesty in right of province" could still not hold a licence, an "independent corporation" could. A provincial Order-in-Council (OC2314/73), in 1973, officially identified the Ontario Educational Communications Authority as the "provincial authority" for the purposes of the Direction to the CRTC contained in the federal Order-in-Council. The OECA mandate is thus spelled out in the Act, the federal Order-in-Council, and the Ontario Order-in-Council. Although OECA was eligible to hold its own licence by virtue of these 1972 and 1973 decisions, the actual transfer of Channel 19 from the CRC did not occur until 1977 with the completion and installation of the transmitter on the CN Tower. However, all new licences, beginning in 1973, were awarded to the OECA.

The structure of the Authority, set out in the Act, was to encompass a Board of Directors consisting of thirteen members, including a chairman, who was to be the chief executive officer. All members were to be appointed by the Lieutenant-Governor-in-Council for a period of three years, but could be re-appointed. Initially, civil servants were eligible to sit on the board, but an amendment in May of 1974 prohibited this procedure. The objects of the Authority were, and are, (3)(a) to initiate, acquire, produce, distribute, exhibit or otherwise deal in programs and materials in the educational broadcasting and communications fields; (b) to engage in research in those fields of activity consistent with the objects of the Authority under clause (a); and (c) to discharge such other duties relating to educational broadcasting and communications as the Board considers to be incidental or conducive to the attainment of the objects mentioned in clauses (a) and (b).[5] There was also power vested in the Authority to appoint advisory bodies for the purpose of furthering its policies and objectives. The Board met for the first time on August 20, 1970, with T. R. Ide as its Chairman.

Despite the brief size of the OECA Act (5 pages), it contained landmark implications for educational broadcasting in Canada. The objects, or objectives, established a wide spectrum of activities within which to operate. These, together with the federal definition of educational programming, provided a broad foundation and ample flexibility for the operation of the Authority. An important precedent was set in section 3(b). Here, research was mentioned specifically as an object of the Authority. It is one of the few instances in Canada where research, as a separate activity, has been added to the general concern of broadcasting. It had, and has, important implications for the definition of educational programming, not just in Ontario, but in Quebec also, as well as other provinces which later developed educational broadcasting corporations.

The OECA is a Crown corporation which reports to the provincial government currently through the Minister of Citizenship and Culture. The Authority and corporation are a single entity and the Act established the purposes, parameters, and powers of the Authority. Policy is made by an independent Board of Directors and there is no direct government involvement in policy or programming decisions. Like all "independent" Crown corporations at both the provincial and federal levels, influence can and is affected via annual budget allocations and by appointments to the Board. The Ministry of Education writes a "priorities" letter to the OECA each year, outlining its priorities and needs. In addition, there is an ongoing committee relationship between this Ministry and the Schools programming section of the Authority in order to ensure that programs reflect the general priorities of the Ministry. However, there is no interference in actual program design or production. The Ministry of Citizenship and Culture maintains a safe distance. In principle, the OECA was conditioned in its operations by the requirements of the federal Order-in-Council setting forth the qualities of educational programming which are to be distinctly different from general broadcasting. But the provincial Order-in-Council declared the OECA to be the corporation in

Ontario which was to apply the federal order. Thus, in practical terms, educational programming came to mean what the Board said it did.

Initial criticism of the Authority suggested that it could act merely as an appendage of the provincial government. However, the Act emphasized the autonomy of the Authority. Section 6(3) clearly sets out that "The officers and employees of the Authority are not crown employees." Section 12 supported the notion of an "arms length" relationship. The Board makes an annual report to the Minister responsible for the Authority. The Minister submits the report to the Lieutenant-Governor-in-Council and then tables it with the legislature. The Authority is obliged, if requested by the Minister, to make further reports.[6]

The Authority was criticized, also, for being too centralized. It was located in Toronto and was composed of the former ETV branch of the Department of Education. Further it accommodated parts of the Metropolitan Educational Television Association when it was terminated in 1971. However, the Act sets out a provision that "the Authority shall appoint such regional councils and such advisory committees as it considers necessary to advise it in developing the policy and operation of the Authority."[7] The OECA implemented this section by the establishment of five regional councils, a planning committee, and a francophone advisory council. The regional councils consist of ten to fifteen members each and meet four times a year to advise the Board on matters of relevance to the regions as well as other matters, to present proposals, to aid research and to maintain a close liaison with regional school boards and other educational authorities. The councils remain operative. The long-range planning committee was discontinued in 1981.

The success of the OECA was certainly reflective of the Act, the Board, and the system of councils. The autonomy of the Board has allowed for decision making free of direct provincial government involvement and allowed the OECA, after 1972, to hold a broadcasting licence. The fact that there was general agreement on a definition of educational programming allowed for expedient implementation. The regional councils, and advisory committees, along with the commitment to research, ensured a means of ascertaining the needs and interests of all parts of the province.

A formal goal statement for the Authority was approved by the Board in 1973. "To utilize electronic and associated media to provide educational opportunities to all people of Ontario where the use of such media will complement the educational opportunities being offered by other agencies, or alternatively, will provide educational opportunities."[8]

Although there is no mention of it in the Act, the Board of Directors of the Authority, almost from the beginning, recognized the "French fact" in Ontario. In order to "better interpret and respond to the needs of the French-speaking Ontarians" the Board established a Francophone Advisory Council in April of 1975. The objectives of the Council were to "advise the Board on matters of general interest and matters which relate more precisely to the educational needs for the French-speaking population of Ontario."[9] Membership included eleven representatives, two of whom are directors of the Board, as well as the person responsible for all French programming on TVOntario. French programming was always a part of the schedule, and this had increased substantially by 1977 when a French division was created, with a General Manager, to deal with educational media in the French language. Eventually French programming filled the full Sunday afternoon and evening hours as well as other day times. About 17% of the TVOntario network schedule is broadcast in French. Current plans call for a dedicated French network in Ontario to be distributed via satellite to cable throughout the province. It can be seen, therefore, that the roughly 10% of the Ontario population described as Francophone are well served by educational broadcasting.

Since its inception, a foremost objective of the Authority has been to extend its services to all areas of the province. Broadcasting has been the principle means. The first extension of service was licensed in September, 1973, and put transmitters in Windsor, Chatham, London, Kitchener, and Ottawa. Northern extension to Sudbury and Thunder Bay was licensed in 1975. Sault Ste. Marie was added in 1977. VHF channels were used when they were available; UHF when they were not. Cable distribution was relied upon when UHF was the means of transmission. The TVOntario service was carried on Channel 2 of the basic cable service. In the early years of the TVOntario service, before broadcasting arrived in the north, and before the use of satellite, daily "cable packages" consisting of five hours of programming were "bicycled" to cable systems. With the launching of the Anik B satellite in 1979, TVOntario participated in an experiment with the Department of Communications to test the most promising applications of the 14/12 GH_z band. Ninety-four hours of programming per week was distributed to forty-six sites in northern Ontario; a combination of individual homes, institutions, cable television systems, and one low-power repeat transmitter. In 1983, TVOntario switched to Anik C3, and with over one hundred transmitters, mostly low power, strategically placed across the province, and the co-operation of over 150 cable systems, is able now to reach about 95% of the population of the province. The network signal is now distributed entirely by satellite outside Metropolitan Toronto.

Distribution of its programs on video tape, not just to cable companies in unserved areas, but to schools and other educational institutions all across the province, has always been a major business of TVOntario. In April of 1973, the first VIPS (Video Programs Service) catalogue was published. It offered a selection of 3,000 programs. Video tape distribution rights, usually with broadcast rights for a period of five years, are acquired for all programs produced by TVOntario and for many of those acquired. Programs produced or acquired for in-school use are used almost exclusively on video-tape. Broadcasting is merely one way of distribution. The service has grown more than tenfold since its inception. Program series such as Read-along, and Write-on, have made important contributions to the teaching of reading and writing at the elementary level in schools throughout the province.

When Channel 19 was licensed by the CRTC in January of 1970, the definition of educational programming quoted earlier was included as a condition of licence. The facility was to be used for broadcasting the kind of programming described in the definition. This prompted all kinds of discussion and debate, generally between TVOntario and the public and private broadcasters, as the Authority attempted to produce and acquire programming that the audiences would actually watch and use and as the broadcasting community tried to stall competition by emphasizing the need for educational programs to be distinctly different from anything seen on the public or private channels. The principle of this was, and is, distinctly ridiculous, since there are only a limited number of basic formats for television programs, i.e., drama, talk, etc., and these formats are all used by regular television. The other principle, recognized clearly by TVOntario, is that if you have no audience you have no education. So the sides were drawn and the debate, which began in earnest in 1974, continued almost to the end of the 1970s. Its focus was on the use of movies to meet educational objectives in Saturday Night At The Movies. However, every time a "popular" program or format was used there would be a negative reaction from the broadcasting establishment.

TVOntario managed to withstand the criticism by being sensible about the degree of popularity of the programs it broadcast and by being very specific about the educational objectives of each of them. There was never any trouble about the pre-school or schools programming. Programs designed specifically for use in the schools, and funded by a grant from the Department of Education, had very well developed educational objectives and very specific audiences. Besides, they were generally scheduled during the day and did not pose any competition to other broadcasters. They were often described as "the sort of programming TVOntario ought to be doing." The pre-school programming also escaped criticism, even though it was overall the most entertaining, effective, and competitive of all TVOntario programming because the other broadcasters were not interested in competing for this audience. It was the general adult, or "open sector" programming which generated all the fuss. This was funded, by the mid 1970s, by the Ministry of Culture and Recreation (later Citizenship and Culture) which became the Ministry through which TVOntario reported to the legislature. By 1974, with the introduction of innovative programs and formats between 6 p.m. and midnight, the audiences increased rapidly, from a total unduplicated audience of half a million per week in 1974 to one million by 1977, to two million by 1980, to nearly two and a half million currently.

Although the CAB and several private broadcasters intervened in TVOntario's 1981 licence renewal, complaining about competing programming and corporate underwriting, the debate had lessened considerably by this time as the broadcasting community became used to the fact of TVOntario and to the fact that all of its programming had clearly defined educational objectives. The Authority had been able to analyze carefully the business of broadcasting and the business of education, and achieve a workable consensus. The concept of a "learning system" was developed in which the educational objectives for a project could be attained via the use of various media. In this way, to take one example, if a university credit course, perhaps first year Psychology, were to be offered via television, it would not be necessary to adapt the whole course to the television medium. This was what tended to happen in the old days of educational broadcasting and it accounted for why the majority of programs were so bad and so dull. The concept of the learning system allowed the production team to examine the subject matter of a Psychology course and see what ingredients there were in it which could be adapted successfully to the medium of television. Television can do a variety of things very well. It can stimulate, motivate, demonstrate, carry an observer to any place and in any time. It is not a particularly effective or efficient means of transmitting a mass of facts and figures. The learning system concept allowed the production team to combine television, with print material, and any other appropriate media, in order to meet the overall educational objectives. The television component of the system, whether one program or a series, was expected to stand on its own as a viable piece of broadcasting. The audience could use just the television, or the whole system, as their needs dictated.

This concept of the learning system allowed series such as the Ascent of Man produced by the BBC, the Music of Man produced by the CBC, or Fast Foreward produced by TVOntario, which were produced with a general audience in mind, to be "contextualized" into a formal learning system which could be offered for credit by a university or college or offered by TVOntario as part of a formal learning Academy. It allowed movies, with appropriate objectives, on air discussion, and support materials to meet educational objectives. It allowed TVOntario to use virtually any format and any sort of television program. It deflected effective criticism because of the logic of the argument and because it was, by and large, people who had spent their lives in the education business who were making it. It meant that the original definition of educational programming was not effective, at least after 1974, in curtailing the effectiveness and success of educational broadcasting in Ontario, as it was clearly meant to do. TVOntario is now content and happy to work within the definition and does not feel in any way constrained in doing so.

Two other important elements added to the sophistication and maturity of educational programming on TVOntario and to withstanding the criticism of those who thought that the original mandate was being overreached. One was the constant input and support of the various councils and committees mentioned earlier. The second was the important place of research in developing objectives for the Authority as a whole, for the programming in general, and for each series specifically. Research was, and is, undertaken to ascertain the educational needs and interests of specific audiences throughout the province and, to a somewhat lesser extent, to evaluate the effectiveness of programs in meeting their objectives. The evaluation system is in response to the definition of educational programming wherein the acquisition or improvement of knowledge needs to be subject to the assessment of the provincial authority. Schools programming, more than the general adult, or open sector programming, has been subject to more rigorous formative and summative research. The assessment of learning needs is conducted for the Open Sector, and programming is produced and acquired to meet those needs, but because of the quantity of programming and the cost of rigorous research, summative testing is done only sparingly. The definition says that programs must be subject to assessment, not that all must be assessed.

The programming of the OECA has two main objectives, education and utilization. Every program or series must have an educational objective but it must be used in order to meet that objective. This means professional production values so that each program, and the broadcast schedule as a whole, can compete for the viewer's attention. Nobody has to watch or use TVOntario programs, either in the home or in the classroom. The attention and regard of each person has to be won by sound pedagogy, professionalism and pizzaz. Even the programs designed to be used in the classroom, as specific as they may be in terms of their educational objectives, are produced with an eye to their broadcast potential. Some of the programs produced to improve reading and writing in the junior grades proved to be among the biggest audience winners when broadcast early in the evening on the network.

An overall strategic planning process for the OECA was developed in the 1976/77 year. The general objective has been to define an optimal profile for the OECA over a five year period and to set out steps by which the profile can be achieved. A forecast of the future environment is first developed, involving technological social, economic, and educational factors. On the basis of this, various alternative profiles of the Authority are suggested, and the most desirable ones selected. Following this, strategic objectives are created which will assist in the achievement of this profile.

This planning process involves all the councils and committees as well as the staff of the Authority. The five year strategic plan is then updated each year.

The current nature, objectives and services of the OECA were outlined in the Strategic Plan 1984-88, revised October 1984, which resulted from an extensive review of goals and priorities by the Board of Directors. After stating that learning causes personal growth and social wellbeing, the mission of TVOntario is said to be "to use communications media to provide opportunities for learning, to people living in all parts of Ontario." In order to accomplish this mission, the plan outlines a series of strategic goals. Accountability to the trust described in the mission is said to be ensured by continually testing and questioning the work of the Authority. Thus, the Authority justifies itself by appealing to a true educational process.

The objective of education, distinctly different from mere learning, is to lead or to draw out. It is concerned with balance, perspective, inquiry, the search for truth. Its focus is more on questions than on answers. It is fundamentally democratic, for it is the search for truth, not truth, that makes men free. It is a shame the plan didn't appeal to the same justification for each of its activities, especially programming. It would have introduced a dynamic, creative, radical element which is not so apparent with learning, or learning systems. However, once the questioning begins, as an effect of programming, opportunity for further learning should be provided. This is what the systems do. It is what makes TVOntario distinctly different.

TVOntario's Operating Environments are described as economic, revenue, governmental, formal learning, informal learning, adult non-formal learning, Franco-Ontarian learning, telecommunications, technological, and the internal TVOntario environment. Because of projections of modest economic growth, although TVOntario expects equitable treatment to that of other agencies in the edcuational/

cultural sphere, the expectation is for no real growth in base funding grants from the two provincial ministries; that, at best, the grants will cover inflation. The revenue and governmental environments, therefore, indicates the need for more self-sufficiency, i.e., more independent fund raising.

This is an important issue for any educational or cultural agency since the need to concentrate on fund raising influences overall priorities, not just program priorities, and it costs time and money. The priority for commercial broadcasting is fund raising. The priority for public, and educational, broadcasting is not. Means easily become ends in our technological society. This is a constant, current danger for provincial, and federal, public broadcasting. TVOntario, from the beginning, has been underfunded. Original funding was based on a vision of a very conservative "schools type" educational service. The Ontario government has never quite realized the important cultural, social, political, economic, as well as educational resource that has developed in its midst. This situation needs to change and the English programming provided by TVOntario given a substantial budget increase. This is not to suggest that TVOntario should give up its "entrepreneurial" efforts in the areas of fund raising, corporate underwriting, and program sales. However, these efforts should be enrichment, not survival, strategies.

The challenge for the government and for TVOntario, the same challenge that faces the federal government and the CBC, is to determine an acceptable means of determining what the budget of the public broadcaster ought to be and then on what basis the broadcaster should be accountable for spending the money. Since the business is communications, numbers of people reached for dollars spent has to be part of the accountability equation. Since the business of TVOntario is also education, or learning, a measurement system needs to be devised to satisfy the funders that this objective is also being reached. In a technological society, nobody knows what good is, but everybody knows, whatever it is, it better be measurable. Until some kind of measurement system is put in place, an agreement reached on the inherent value of the goals and objectives, and a proper base established, funding will continue to be done on an ad hoc, or add on, basis with an ever present danger to the integrity of the service.

The plan outlines three kinds of learning environments, formal, non-formal, and informal. The key thrust in the formal learning, or schools, environment is said to be the shift in emphasis from teaching to learning and the demand for learning. In the adult, non-formal environment, it is anticipated that a growing number of individuals will register for specific TVOntario events. These involve deliberate, part-time learning opportunities outside the formal programs of schools, colleges and universities. The informal environment consists of people of all ages who are not in classrooms nor registered for a course. They are not in any way a captive audience. Informal programming consciously promotes learning through systems which recognize the voluntariness of adult learning. Television programs have to compete for the attention of learners in their homes. This can be casual learning and may or may not result in people requesting further information about a subject after watching a television program. It can be a type of learning opportunity provided by other broadcasters, both public and private, even though they do it usually without conscious objectives and without providing support materials. More distinctive for TVOntario is the type of learning described as adult non-formal. This is not done in a classroom; it is done in the home, in association with TVOntario, and usually outside the formal programs of schools, colleges, and universities. But it does involve deliberate, active part-time learning over a specific period of time. These learning opportunities provided by TVOntario involve a series of programs, substantial support materials, sometimes group meetings, and often test and evaluation opportunities. The Computer Academy is perhaps the most successful example of this sort of project. TVOntario sees this as a growing market and a potential source of revenue, since the potential clients are seen to be paying part-time learners.

Franco-Ontarian learning is seen in constant danger of assimilation in the English majority. There is a declining enrollment in French language schools and Franco-Ontarian parents fear a loss of their French-speaking cultural environment.

The telecommunications environment is seen as potentially threatening to TVOntario. These interests must be protected by ensuring that the CRTC, the DOC and others are aware of TVOntario's needs, and that the interests of educational telecommunications must be accommodated in evolving policies and regulations. If the provincial government has overlooked the importance of TVOntario, and its success as a public broadcaster while maintaining its educational objectives, the federal government has been even less perceptive. Perhaps because of the word education, almost all federal broadcasting strategies have tended to focus on the CBC, the private broadcasters, and cable. This is a serious oversight which must not be allowed to continue. TVOntario does not feel constrained or prejudiced in any way by its mandate, or by the definition of educational programming. Nor do the other provincial broadcasters. In fact, it sees education and learning as providing its distinctiveness and importance in the system.

From this analysis of the various environments comes a series of strategic objectives. "Learning objectives" are to develop learning opportunities in response to the needs of Ontarians that deal with the intellectual, social, physical, cultural and spiritual aspects of their development; to work with the Ministry of Education, using television and telematics, to serve the needs of correspondence education; and to explore appropriate roles in the area of educational telematics. "Development objectives" include needs ascertainment studies and the analysis of social, cultural, political and economic trends, research to help in revenue generation, better evaluation processes, models for new products and services, and the monitoring of technological developments. Regarding "revenue generation" the objectives point to a more integrated strategy, finding an equitable way to recognize the full costs and net revenues, and the allocation of net revenues to educational/learning activities. "Resource management objectives" point to a more effective and efficient TVOntario.

In the 1983 strategic planning process, "markets" became the focus for planning. This is also the focus in the 1984 revised plan. Programming objectives and strategies are delineated against the various markets, or audiences. The English markets are children at school, children at home, youth at school, youth at home, adult, and part-time learning. The French markets are children/youth at school (formal), children/youth at home (informal), adult (informal), part-time learning (non formal/formal). The plan includes precise and measurable objectives and strategies to reach these various audiences. Specific numbers and types of programs are identified. Each program or series that is produced or acquired has market, as well as educational or learning, objectives. The network schedule organizes the programming into blocks in order to reach the above markets. While the network is still used, ostensibly, to deliver programs to the formal school system, its major use is to deliver programs to the relatively "informal" markets in the homes. However, in response to a perceived interest on the part of adult Ontarians in more formal learning opportunities at home, TVOntario is offering a growing number of series which incorporate extensive sets of support materials, sometimes in association with a post secondary institution. These "part-time learning" systems, sometimes identified as adult non-formal learning, provide TVOntario with a more traditional educational television image and position the network as distinctly different from other public broadcasters in the market.

The annual revenues of the OECA total more than forty million dollars. The Authority receives about 70% of this through annual grants from the Ontario ministries of Citizenship and Culture, and Education. The larger grant is from the former, or lead, ministry, which means that more programs are produced and acquired for people at home than for people at school. Other revenues are generated in the form of project-specific grants from provincial and federal ministries, departments, and agencies, including a major grant for the production of programs and support materials to be used by colleges and universities in the province; corporate and foundation funding of productions and acquisitions, which began in the late 1970s; the sale of products and services; and, beginning in 1981-82, the donations of individual viewers to the Public Membership compaigns.

Currently, the OECA operates a province-wide television service, TVOntario, which originates from one single site, Toronto. It broadcasts sixteen to eighteen hours per day, seven days per week, with a mix of programs and formats, including drama, documentary, talk, music and comedy. While it does a form of public or current affairs programming, it does not do news or sports. Its greatest strength, and success, has been in programming for children, both at home and in school. Forty-nine percent of all Ontario children aged 2 to 11 watch TVOntario each week. Children in this age bracket account for 26% of the total audience. At times in the late afternoon or early evening TVOntario reaches 50 to 60% of its target audience.

The Authority has sections responsible for corporate affairs, finance, operations, publications, etc. It has been, and is, involved in the development and use of new technologies in education, especially telidon and computers. However, its major activity, the principal way it meets its educational mandate and learning objectives is by the production, acquisition, broadcasting, and utilization of television programs, with appropriate support materials. The sections responsible for this, called Educational Services, are separate for English and French. Together they produce about five hundred hours and acquire about seven hundred hours of new programming each year. About 80% of this is English and about 20% French. They also schedule the network. Production has been decreasing somewhat over the past few years as revenues have not kept up with costs. Even a fast calculation indicates that at least six thousand hours of programming per year is required to fill the network time and only about twelve hundred new hours are produced and acquired. A high repeat factor is a reality of the network schedule.

The network does provide an important service to the people of Ontario, one which is used by the specific audiences at different times. More than 2.3 million viewers tune in to TVOntario at least once per week. This is very similar to the total unduplicated audience achieved by Radio-Quebec. It amounts to a "reach" of 25%, similar to that achieved by many PBS stations in major U.S. markets. Because of the smaller total Francophone audience in Quebec, the reach of Radio-Quebec is over 50%.

When the Bureau of Broadcast Measurement and the A. C. Nielsen Company take the television ratings in November and February each year, the share of the audience watching television at any given time during the late afternoon or evening, for the Open Sector programming, varies from one or two to eight or nine percent. These numbers, again, are comparable to PBS and Radio-Quebec. This is quite remarkable given the relatively smaller budget, educational mandate, and competitive market of TVOntario.

TVOntario broadcasts programming for in-school use during the day. This is seldom used "off-air", but may be recorded for subsequent use. Just before and after school hours, the network broadcasts programs for children at home. In the early evening programming for the whole family is scheduled, followed by programming for the adult viewer or, really, the adult learner to avoid confusion with movie categories. Saturday and Sunday mornings are devoted to children's programming. Saturday afternoons offer "how to" programs, repeats of part-time learning series offered originally on Wednesday evenings, and telecourses designed as part of distance learning courses at universities or colleges or as a supplement to their curricula. Sundays, from noon until sign-off, features programs for children, families, and adults in the French language.

The programs broadcast on the network are used in 85% of Ontario's English language elementary schools, 92% of secondary schools, and 96% of French language schools. Fifty percent of community college and 23% of university instructors use TVOntario programs at least once per year. More than 40,000 teachers use the service and an average of 1,000,000 students per year view the programs in school.

To support its programming, TVOntario has an active publications/customer relations service to provide a variety of resource materials (program guides, workbooks, kits, records, texts, general reading) in French and English which are available to students, teachers, and home viewers at a low cost. To encourage utilization of its programming, the Authority offers a lease-buy arrangement to school boards, community colleges, and universities for the acquisition of television and video tape equipment. Utilization workshops are conducted for teachers, librarians, community groups, and members of the general public. These are designed to promote understanding and use of television as an educational tool.

The programs and support materials of TVOntario are purchased and used extensively by every province and territory in Canada, and by countries around the world. In addition to traditional marketing and sales, the Authority has extended its services in several innovative ways. The first, conceived in 1979 and delivered in 1980, was the Galaxie package of children's programs. An agreement was signed between TVOntario and Canadian Satellite Network for a daily four hour package of programs for children, aged 2 to 11, to be delivered via satellite to cable companies across Canada over a two year period. Unfortunately, the CRTC would not agree to the mode of delivery, and a video tape delivery system had to be arranged. An amended contract for this new distribution method was guaranteed by Rogers Telecommunations Ltd. for a three year period. Ninety-eight four-hour packages were distributed the first year to twenty-four cable companies in five provinces with a total of 1.5 million subscribers. The cable companies contributed to the service on a per-subscriber basis and substantial funds were generated for TVOntario to produce and acquire additional programming. In an attempt to extend and expand this service, the Authority applied to the CRTC for a children's specialty service channel in 1983, but because it was not for a "discretionary" pay service it was not heard by the Commission in 1984, although a TVOntario brief on the issue was heard. By the summer of 1984, the Galaxie children's channel proposal was dead. In addition, the contract for cable distribution had expired and was not renewed.

Two other innovative attempts at distribution, more short lived than Galaxie, were VISTA and Harmonie. Vista was a family viewing package, three hours in length, consisting of science, popular music, and public affairs programming. It was offered also by Rogers in the fall of 1980, but didn't survive the year. Harmonie was to be a cable package of French language programming to be distributed by CANCOM, but did not survive the concept stage.

As mentioned earlier, from December 1979 to February 1981, TVOntario participated in an experiment with the federal Department of Communications for the delivery of the network signal to northern Ontario via Anik B satellite. The satellite "footprint" also covered part of the province of Manitoba. Because of this, representatives of the Manitoba Telephone System, the Manitoba Department of Education, and TVOntario met in the summer of 1980 for the purpose of negotiating an agreement to set up an experimental project which would enable the use of some of the TVOntario signal in Manitoba. As a result of these negotiations, a formal agreement was signed in November, 1980, allowing selected Manitoba schools and one hundred homes in Headingly, Manitoba, to use the TVO signal, and to receive complete program listings, along with various support materials and services. On May 31, 1981, when the project ended, TVOntario outlined various options to the Manitoba Department of Education for continuation of the project. These involved issues of copyright and educational rights. After several tries during 1981 and 1982, the Manitoba Deputy Minister of Education advised the Authority in April, 1983, that the restraint program in Manitoba prevented further negotiations.

TVOntario was aware very early that the use of satellite distribution meant that, if proper agreements could be reached, educational programming from Ontario could be easily made available across the country. At the April, 1979, Board of Directors meeting, it was resolved that the Authority take the initiative in endeavouring to establish a Committee of educational communications authorities to discuss such satellite use. Through the Council of Ministries of Education of Canada, discussions took place with the Department of Communications in Ottawa regarding the possible use of regional spot beams on the Anik C satellites for the distribution of educational materials. These discussions also involved the Agency for Tele-Education in Canada (ATEC) as part of its purpose to promote co-operation in the economic exchange, utilization, and evaluation of educationally oriented media programs and support materials. No concrete results emerged from these discussions, and use of satellites in Canada by the various educational telecommunications agencies continues on an individual rather than on a consortium basis. However, this is an issue which appears to be open again, at least for discussion.

The discussion is heating up, currently, with the decision by Radio-Quebec, supported by the provincial and federal governments, to distribute its signal nationally via satellite to cable. There is, arguably, a need for an English language Canadian educational public service, likewise to be distributed nationally via satellite to cable.. Radio-Quebec has decided to "go it alone" because of its commitment, and that of its government, to the maintenance and development of Francophone culture in Canada. It has invited other regions to co-operate by supplying some of the programming. Neither TVOntario nor the provincial government feel any similar obligation to communicate a Bay-Bloor culture throughout Canada. The other provinces would applaud the reticence. They would also invoke jurisdictional issues relating to education, even though they have so far been relatively silent on the invasion of their borders by Radio-Quebec. Therefore, even though any such national channel would rely heavily on TVOntario programs, some sort of co-operative arrangement involving a majority of the provinces would be desirable, if not absolutely necessary, to make it happen. This "consortium" could also include the National Film Board and perhaps even the CBC. Any of the high quality Canadian programs, drama, documentary, music, of these latter two organizations could easily fit the educational/learning objectives instituted for such a service. However, at this time, TVOntario does not appear to be interested in such an arrangement, citing practical difficulties such as rights clearances, loss of sales revenues, etc. If such a cooperative national service is seen to be desirable by the federal government substantial dollars will have to be made available and some creative arm-twisting done to encourage its development. Certainly a majority of the provinces would support it as a means of encouraging regional production, as perhaps the best way of reflecting and communicating regional cultures, and as a practical means of providing national exposure to regional productions. But a viable regional cooperative of this nature is not likely to happen without the enthusiastic involvement of TVOntario. At the moment, TVOntario appears to be more defensive than entrepreneurial in this regard.

CJRT-FM began operating in November, 1949, as an integral part of an Announcing and Radio Production course in the School of Electronics at the newly established Ryerson Institute of Technology in Toronto. But the station was licensed also as an educational service to schools and the general public. Ryerson held the licence. The objectives of the station were: 1) to provide unique opportunities for student announcers, producers and technicians to obtain on the air experience as part of their courses in broadcasting; 2) to broadcast programs to schools in cooperation with the Ontario Department of Education and the local Boards of Education within the area to be served by the transmitter; and 3) to provide programs of a cultural nature for community groups and general listening and through these support the cause of education in the community.[10]

The station began operating with 3000 watts of power at 88.2 on the FM dial. In 1950 it moved to 91.1, where it remains today; but now on the CN Tower and with significantly increased power. Between 1949 and the fall of 1964, when the station came under professional management, it was on the air for only about 6 hours per day, 3 p.m. to 9 p.m., 5 days per week, during the academic year. Its main function during this period was as a training ground for radio announcers, operators and technicians, although there were a few educational programs produced in cooperation with the community programs division of the Ontario Department of Education and the University of Toronto.[11] Programs consisted of student written and produced drama, comedy, news, sports, talk, and music. Although some classical music was included, jazz and popular music predominated. During this period, the one year course in Announcing and Radio Production expanded to a full three year program in Radio and Television Arts.

The decision by the Ontario government, in 1963, to transfer responsibility for Ryerson from the Department of Education to an independent Board of Governors resulted in significant changes for CJRT. It was decided that the station should be developed into a more professional operation and that a manager should be hired. Part of the mandate for the new manager was "to determine policies and to administrate the operation of CJRT-FM as a community service and student training radio station." This was not a satisfactory arrangement because the manager was not a faculty member in Radio and Television Arts and the mandate to develop a professional service at times ran counter to the needs of students for on-air experience. Within a year the station had a full time staff of eleven, and was broadcasting 17 hours per day, every day. The sound of junior student announcers could not compare with experienced staff. Before long, students had to audition before they were allowed on air.

When the station began to operate in this professional mode in the fall of 1964 the programming changed also. Prior to that time, because the students were being trained, by and large, for jobs in commercial broadcasting, the sound of the station reflected that objective. It quickly changed to a non-commercial, public radio sound. The new format, according to the Department of Transport licensing criteria, came under the general heading of Information/Enlightenment. In the beginning this included significant portions of news, news commentary, public affairs, arts and science, business news and information, education, and youth programming, as well as music. By 1974 most of this had gone by the board and the station was broadcasting mostly music; mainly classical and jazz.

During the 1965/66 academic year R.T.A. students produced programs which were broadcast from 10 a.m. to 11 a.m. and 4:40 p.m. to 6:30 p.m., five days per week, as well as some additional periods.[12] This gradually decreased in succeeding years. Between 1964 and 1973 continual attempts were made to reconcile the dual objectives of a professional station and the need to serve as a vehicle for training students. None were successful and, finally, the second objective was dropped.

In the summer of 1968, an informal "Radiostudy" series was initiated. The programs used an informal conversational format and provided information on consumer affairs, Canadian politics, the arts, and language. These educational programs were written and presented by Ryerson faculty members. Radiostudy added four courses in 1969 and two more in 1970/71. These involved faculty from other Toronto educational institutions. The informal Radiostudy series of programs continued right through until 1974, when CJRT broke its formal relationship with Ryerson.

In January, 1971, the station presented its first credit course in "Introductory Sociology". This was produced by Ryerson's newly organized "Open College" and was a pilot project to test the feasibility of using radio as a major component of distance education. The radio lecture course was supplemented by some television programs broadcast on CFTO-TV, phone-in question and answer periods, print support materials, written assignments and two study weekends.[13] The course was repeated in 1972, and a second credit course in Developmental Psychology was added for the 1972/73 academic year. Credit for the Open College courses was given first by Ryerson, then for some by Atkinson College at York University. (Now, all courses are credited by both institutions.) Because of an Institute financial crisis, no credit courses were offered in 1973/74.

Throughout the period 1949-1972, CJRT-FM had been funded "as a special budget item within the framework of (the) general budget" for what became known as Ryerson Polytechnical Institute.[14] In 1972 the Ministry of Colleges and Universities changed the nature of university funding to a grant system based on the number of full time students. This made no allowance for CJRT. The Institute faced a shortfall in enrollment for the 1972-73 academic year and had to look to cutting costs. A study showed that only 3% of the station's programming was educational and less than 1% was produced by students. The result was an announcement, in March, 1973, that CJRT would cease operations on June 1.[15]

This began a flurry of political activity to save the station. A "Committee to Save CJRT" was formed and a temporary grant was given by the government to maintain the station, and Open College, until the end of the year. The Ryerson Board accepted the interim solution and appointed a "special ad hoc committee.....to explore alternatives." At the same time the outside Committee to Save CJRT continued its political grass roots activities.

During this period, consideration was given to transferring the licence of CJRT to the Ontario Educational Communications Authority, but was rejected for fear the station would lose the right to broadcast news and that its programming would be altered. There was also a feeling that it would become lost in the large Authority. CJRT-FM never had any formal relationship or connection with the OECA. None of its programming was ever subject to review or evaluation as to its educational validity by the provincial Authority. The staff and supporters of CJRT wanted to keep it that way.

Additional interim funding was granted by the government to maintain the station until the end of the fiscal year, March 31, 1974. However, a solution was found. On December 3, 1973, the Premier, William Davis, announced in the legislature that the government "had decided to establish CJRT-FM as a separate and independent corporation with the capability to operate the present CJRT radio station and to continue its educational broadcasting activities."[16] While the Institute retained representation on the new CJRT-FM Board, it no longer had any direct involvement with the station it had founded and operated for 25 years.

Between 1953 and 1963, the federal Department of Transport routinely renewed CJRT-FM's non-commercial licence. In 1965 the federal Department approved the station's application for stereo broadcasting. When the licence was again renewed in 1968 it was for two years, rather than five, because the Board of Broadcast Governors was to be replaced by the Canadian Radio-Television Commission and it was expected that the next licence would be issued for an educational rather than just a non-commercial station. This would have meant no broadcasting of news. In June, 1970, the federal government stated that "broadcasting licences granted to provincial governments including educational institutions will not be renewable for terms extending beyond March 31, 1972."[17] Ryerson made no plans to establish any sort of independent board yet the licence was renewed again in 1970 for a two year term, still for a non-commercial station.

In 1972, the federal government, in its Directive 1972-1569 to the CRTC, strongly exerted its authority over broadcasting and stated that licences would not be granted to provincial governments but only to "independent corporations", yet CJRT's licence was renewed again in 1972 on the same basis for a two year term. Finally, because of the financial crisis, Ryerson applied to transfer the station's licence to an independent corporation, incidentally adhering to federal policy.

The CJRT-FM Inc. corporation was formed in November, 1974. It is a private, non-profit corporation with no share capital. It has its own, independent, Board of Directors. A President and General Manager is responsible for the day to day operation of the station. The radio station broadcasts from the CN Tower in Toronto at 91.1 on the FM dial, and reaches about 70% of the population of Ontario. Its studios and offices have remained at 297 Victoria Street, on the Ryerson campus. It is licensed by the CRTC as a non-commercial, educational station, in the "Classical-Fine Arts" music format, and is dedicated to providing programs that enrich and inform. CJRT-FM broadcasts 19 hours per day, every day. It provides university-level courses through its Open College, symphony and jazz concerts, opera, music festivals, the BBC News live from London, its own news and commentaries, arts and science features, international public affairs, folk/blues music, big band music, and stories and music for children.

Since 1974, Open College has been a part of CJRT, not Ryerson. It grew out of the need to provide adults with a way back into the educational stream and is used by people who want to improve professional qualifications, or want degrees or certificate credit but cannot attend classroom courses. The various courses offered can be taken for single credit, or as part of an academic program. All the university level courses are credited towards degree programs at

Ryerson and at Atkinson College, York University. However, Open College also produces a range of informal educational programs on subjects of current interest. Some of these invite participation from the community and may be offered as non-credit courses for listeners who choose to join in group discussions. For some of the informal, and all of the formal credit courses, Open College provides a variety of support materials and opportunities for participation.

In ten years, the audience for CJRT has increased to over 200,000 regular weekly listeners. Financial support from listeners and the business community has grown from zero percent of the station's operating costs in 1974 to over 40% today. In 1984-85, 11,000 individuals and 400 corporations and charitable foundations contributed over $670,000 to CJRT. Grants from the provincial government through the Ministry of Citizenship and Culture totalled $1 million. More than half the dollars donated each year come in response to written appeals, but the regular fall and winter on-air campaigns continue to attract new donors and maintain an important community support system.

In the future, CJRT-FM looks to expanding and improving its cultural and educational services. It wants to place the full stereo service on satellite so the broadcasts are available to the whole province. But the nature of its programming is expected to remain the same. The station provides a distinctive service, or really services, to a variety of relatively small, specific audiences, e.g., those people who appreciate classical music, or jazz, or folk; those who want a university credit; those who appreciate some in-depth discussion of a contemporary issue.

CHAPTER 5

QUEBEC

Radio-Quebec describes itself as l'autre television, the alternative television. This is meant to distinguish it from the other television services, public and private, Canadian and American, available to viewers in Quebec. But it also serves to distinguish it from the other provincial, education, broadcasting agencies in Canada. Radio-Quebec's focus is on programming, pure and simple. While it adheres to a concept of educational programming, it does not feel the need, nor the desire, to clutter up its landscape with learning systems, academics, or even very much print support material. It does some of this, for certain, but it justifies its mandate, essentially, through its programming alone. Alternative speaks to objectives, which are educational. But it also speaks to style, to format, and to culture. A major, perhaps the major, objective and justification for Radio-Quebec is to reflect, to participate in, and to influence the culture of Quebec, regionally and nationally. Education is seen to be a part of culture. Programming that reflects Quebec culture is seen to be an integral part of the educational mandate. Of all the provincial educational communications agencies only Radio-Quebec has this cultural focus; in fact, except for some peripheral references by the others, only Radio-Quebec even uses the term. It is this that makes Radio-Quebec different from the other educational agencies, that gives it a distinctly energetic and creative environment, that makes it pre-eminently successful in attracting and involving its audience, and that provides it with a clear vision and raison d'etre. It is a vision and an environment which needs to be both understood, and perhaps adopted or adapted by other public broadcasting agencies, provincial and federal. All of this comes from a provincial need to develop and communicate Quebec culture to Quebecers.

Radio-Quebec, or more formally, the Societe de radio-television du Quebec (S.R.T.Q.), is a corporation created and funded by the government of Quebec "to establish and operate an educational television network reaching all parts of Quebec."[1] Radio-Quebec is mandated also to reflect the culture of Quebec in all of the province's regional aspects. In spite of its name, it is a television network and operates no radio stations. Its major directions are defined by a twenty-one member Board of Directors consisting of a chairperson, appointed by the Lieutenant Governor in Council, the chief executive officer of the corporation (the President), nine regional committee chairpersons, nine representatives from fields such as education and communications, and one representative from the internal staff.

Although the present form of Radio Quebec dates from 1979, it began in 1968 as L'Office de la radio de Quebec. However, as early as 1945, the government of Quebec had recognized clearly the need to use electronic communications in the service of Quebec. Indeed, it can be shown that all Quebec governments since the 1920s have expressed the need for modern methods of communications to be applied to the cultural development of the province's citizens.[2] On March 13, 1945, a bill concerning radio broadcasting was introduced to the legislature. It would have created a provincial service to be called L'Office, to possess and exploit a radio system under the name Radio-Quebec. Because of federal jurisdiction over broadcasting this also would have created a serious federal-provincial dispute. It is reported that a secret compromise was reached between the federal government and the Premier of Quebec, Maurice Duplessis, whereby Quebec was allowed to have its own provincial income tax in return for staying out of the radio business. In any event, nothing happened between 1945 and 1968 when the then premier, Daniel Johnson, decided to go ahead with the bill and create Radio-Quebec, not with the primary objective of offering educational services, but to ensure Quebec's position in the use of electronic communications.

Daniel Johnson saw the role of Radio-Quebec as primarily cultural. It was created, like the O.E.C.A., at a time when the federal government was planning to move into the field of educational broadcasting. It was designed to thwart this interference into what was clearly seen as provincial jurisdiction, education. But education and culture were seen to be inextricably interwoven. Johnson regarded it so highly that from the time it was established in February, 1968, until his death seven months later, it reported directly to the Premier's office.

It is important to reference a very innovative, experimental project, called TEVEC, which was taking place just at this time. Conducted by the Continuing Education Branch of Quebec's Department of Education, it had the task of providing a poorly educated population in the Saguenay-Lake St. John region with individual and collective socio-cultural and educational training. The TVEC program had to correspond to the general level of knowledge for the regular grade 9 course for adults, but the school subjects, such as French, Mathematics, English, and Science, were linked with socio-economic themes in order to appeal to the interests of the population. The originality of the two year experiment was in using a combination of media with "social animation" techniques. Television was used to motivate and inform. Programs were produced and broadcast through the facilities of the two television stations serving the region. They helped create an awareness and a desire to learn. A correspondence course provided adults with educational materials in the subject areas; examinations were offered to all those who considered themselves qualified whether they had enrolled with TVEC or not. "Social animation" involved meetings, discussions, conferences, leadership training at the local level. Revision centres were open once a week for people to meet and receive assistance from teachers. Any pupil who had five years schooling or less received regular house calls from a teacher who provided both human and educational support. Extensive research was done on the population of the region to assess specific needs, on the development and delivery of content, and in the operation of TVEC as an organization. Over 34,500 people registered at the start of the experiment, and in March, 1968, a poll showed that 60,000 were following the telecasts regularly. The project came to an end in June, 1969.

In the beginning, Radio-Quebec was not a broadcaster at all, but an audio-visual production house making video, audio, records and slide presentations of an educational and informative nature for various government departments and agencies. However, this lasted for only twenty months. In late 1969 the original Act was amended and the name of the corporation was changed to L'Office de radio-telediffusion du Quebec. Its mandate was expanded from production to the distribution of its material by the most appropriate means. By this time a new premier, Jean-Jacques Bertrand, had created a Ministry of Communications and Radio-Quebec was directed to report to its Minister, Jean-Paul L'Allier. However, the budget came directly from the National Assembly.

Except for the brief TEVEC experiment educational television never gained the prominence in Quebec that it did in other provinces, especially Ontario. Television developed more as a cultural resource, rather than a means of revolutionizing the business of traditional teaching and learning. The Quebec Department of Education did establish an Audio Visual section, but it never had a very clear mandate and television was never featured the way it was in Ontario. Two television series to teach the French language to grades one and two were produced in the early 1970s, but Radio-Quebec did the actual production. In the late 1970s the A/V Department had a very successful series for pre-school children produced by a private sector Quebec company. About 120 half-hour programs of the series, called Passe Partout, were broadcast by Radio-Quebec, as well as Radio-Canada, and other broadcasters, including TVOntario. Currently, the A/V Department is being integrated into Radio-Quebec, which may mean that there will now be more traditional instructional programming produced for use in schools, colleges, universities, and perhaps the work environment. These may be closer to the academies being produced by TVOntario. In fact, this ends a long struggle between the Department of Education and Radio-Quebec as to who should do broadcasting and what kind of education it should be.

There was some slowdown of development during the early years under Jean-Jacques Bertrand, but by early 1970 the President of Radio-Quebec had organized a task force of employees to develop a mission and mandate. Some of these new employees came from the now defunct TEVEC project, but many came from the youth division of Radio-Canada. They were used to producing distinctive, educational programs, on low budgets, and without any written educational mandate. They were television producers who, by virtue of the kind of television they had been producing, had become educators. In this new setting at Radio-Quebec there were no elaborate educational mandates or definitions which circumscribed their thinking. The federal-provincial definition of 1969 was available, but it does not appear to have exerted any influence or even to have been considered.

The mandate of the task force was to conceive a schedule of educational programs which would induce the viewer to want to learn. No captive, classroom market was envisaged. The educational mandate and terminology was retained in order to focus the programming effort and to shape Radio-Quebec's distinctive contribution. Education was, and is, a means of consolidating Quebec's cultural identity. The task force came up with four general guidelines. Radio-Quebec was to produce programs which would assist the viewer to face the challenges of everyday life, that would promote the Quebec identity, and that would help the viewer acquire a general cultural understanding. In addition, the Office was to facilitate access to reference materials and resources in order to prolong the impact or educational value of the programs.

The latter objective, which is close to the learning system concept of TVOntario, was allowed to lapse after awhile as informal educational programming proved its effectiveness, even without support materials. Also, over the years, the need to be very obvious in stressing the Quebec identity, which was thought to be important during the days of the quiet revolution, faded, as did the second guidelines. Quiet assurance replaced quiet revolution.

From the time of this internal task force Radio-Quebec has been firmly in the broadcasting business, i.e., in the busines of making popular television programs which will compete for audiences in their homes, and not in the business of producing learning systems for use in the classroom. This has always been, and still is, a feature which distinguishes Radio-Quebec from the other provincial agencies, and which makes it more similar, at least on the surface, to a broadcasting agency such as Radio-Canada. Radio-Quebec would argue that its educational-cultural mandate, and the nature and style of its programs, makes it different from and an alternative to regular broadcasting.

Following the establishment of the guidelines by the task force, by 1972, Radio-Quebec began to distribute a schedule of television programs directly into cable facilities in Montreal, Quebec City, and later, Hull. This had the advantage of avoiding any jurisdictional dispute concerning the issuance of a broadcasting licence by the CRTC. It was politically astute provincially because once the service was made available to these few areas other regions in Quebec demanded it as well. In 1975, two UHF television transmitting stations were established in Montreal and Quebec City. A third was established in western Quebec in 1977. Transmitters have been expanding since that time to provide the Radio-Quebec signal to more than 90% of the population of the province. Like TVOntario, the signal is now distributed via Anik C satellite to transmitters and cable systems throughout the province.

From its real beginning, with the task force, the introduction of a schedule on cable, and then the building of transmitters, Radio-Quebec has developed its own version of educational broadcasting. Other models, even those developed at TVOntario, were judged to be inappropriate because they were too close to the traditional models of the departments of education. In Quebec there was hardly any interaction with Education and a general disinterest, if not ignorance, of official definitions. However, because Radio-Quebec needed a clear educational framework, the programmers adopted the description of educational programming developed by the European Broadcasting Union (E.B.U.). This description stated that educational programming is that which aims to help people assimilate a range of knowledge or to acquire certain capabilities in a specific field, or to better prepare tham to actively participate in community life. It should, in principle, contribute to the development of their personalities and to a better understanding of the changes in society. In order to achieve these objectives, the best means normally are: a) to encourate the listener or viewer, during the presentation and after the broadcast of programs, to adopt an active attitude towards the subjects dealt with; and/or b) to integrate programs to other possibilities for study (pamphlets, information centres, written materials, correspondence courses, study or work groups and other local organized activities); and/or c) to methodically group programs into series. The description went on to suggest that the advice of qualified specialists should usually be sought in the final stages of program planning. While this description was useful for Radio-Quebec, and provided absolute latitude to do any kind of programming desirable, it would have been, and would today, be quite suitable to describe what TVOntario and other Canadian educational communications organizations do. Definitions were, and are, politically useful, but not in any way determining. What is educational programming, like what is education, or what is culture, or what is good, is too elusive for all purposes. It tends to be what people doing it say it is and what the powers that be agree it is.

The power in Quebec, i.e., the Authority which determines what is "education", between 1973 and 1979, consisted of the Minister of Education and the Minister of Commununications. The only decision it was called upon to make was that the programming of the Corporation, Radio-Quebec, was educational. Since one of the reasons for the 1972 federal Order-in-Council was to establish an arms-length relationship between provincial governments and provincial Authorities, it was somewhat embarrassing to have to Ministers playing this role. (The same embarrassment was apparently not felt by other provinces, such as Nova Scotia, Alberta and British Columbia, which have similar political representation on their authorities.) As a result, when the Act was once again amended in 1979 to constitute the present Societe de radio-television du Quebec (S.R.T.Q.) as the Corporation, in 1980 the Regie des services publique (the Public Service Board) was established as the provincial Authority.

The programming of Radio-Quebec must, first of all, meet the fundamental imperatives of the Act pertaining to la Societe de radio-television du Quebec. "The objects of the corporation are to establish, possess and operate a service for producing audio-visual material and radio and television broadcasts. The main object of the Corporation is to establish and operate an educational broadcasting firm to cover the whole territory of Quebec.[3] The Societe must submit its educational programming to the Regie des services publique, in accordance with the Act respecting educational programming."[4]

With regard to the criteria applicable to the development of its programming, the corporation refers to the provisions outlined in Section 2 of the Act respecting educational programming which stipulates that this programming must be: "designed for presentation both in a context suitable for enabling the audiences for whom it is intended to pursue their education by acquiring knowledge, improving their knowledge or extending their scope of perception, and in conditions that make it possible to supervise or evaluate such acquisition or improvement of knowledge or such extension of the scope of perception; or intended to supply information on the courses of study dispensed, or to present special events of educational value, within the educational system."[5]

With regard to the tenor of this programming, the corporation refers to the provisions of Section 3 of this same Act: "Educational programming shall: a) favour the exercise of the right of citizens to education, particularly by presenting programmes that meet specific needs of the population, lead towards diplomas or meet the needs of continuing education; b) promote the access of citizens to their cultural heritage, particularly by reflecting life in the various regions and among the various ethnic communities, favouring inter-regional and inter-cultural exchanges, encouraging the creation and broadcasting of Quebec audio, video or audio-visual productions, or generally granting a favoured position to the Quebec culture; c) promote the access of citizens to economic and social well being by presenting programmes that meet their needs of economic and social education; or d) favour the exercise of the right of citizens to freedom of expression and to information, particularly be encouraging discussion of matters of common interest and presenting them from every viewpoint, and encouraging greater openness to the world, or maintaining a fair balance between matters dealt with, interests concerned and opinions expressed."[6] It is in the light of these legislative provisions that the corporation directs and plans the educational programming of its Radio-Quebec network and the television stations it comprises.

With this law, Radio-Quebec reports to the Minister of Communications, and must appear once a year before the parliamentary committee which approves its activities and the allocation of its funds. Also, it must appear regularly before the Regie des services publique, which examines whether Radio-Quebec is fulfilling its educational mandate. (It must also appear, of course, before the CRTC for its broadcasting licence.)

The Regie is a three member tribunal, an independent authority, which judges the validity of a variety of public service activities. It was entrusted to evaluate educational programs according to this law. In fact, the new law was not created for Radio-Quebec alone, but also to allow any educational institution to apply for grants from the Ministry of Communications. The law allows these institutions to go to the Regie to get programs declared educational and thus eligible for government grants. Once the law was passed, Radio-Quebec had to do the same.

The relationship between Radio-Quebec and the Regie has sometimes been stormy, particularly in the beginning. Its first hearing, at the request of Radio-Quebec, was in 1981. The decision of the Regie was declaratory, i.e., the judges said that, on the whole, the programming was educational. But they also prescribed what Radio-Quebec needed to do to improve its service. This included injunctions regarding what the balance in programming ought to be between produced and acquired. Radio-Quebec challenged this decision on the basis that, by law, the Regie has declaratory power only. The challenge would have gone to court, but a compromise, of sorts, was reached. A new President of Radio-Quebec was appointed in 1983 and, with the support of the Board, he withdrew the court challenge. Radio-Quebec again appeared before the Regie in May, 1985, at which time the judges declared the programming educational, and declared that they did not have prescriptive powers. This was a particularly important victory for Radio-Quebec at a crucial time. The Regie accepted some quite innovative variety programs and the principle of advertising on Radio-Quebec. At the previous hearing, in 1981, the judges had refused to accept the principle of corporate underwriting.

There is no clear indication in the Act when Radio-Quebec must appear before the Regie. Appearances are to be made "regularly" or if there is a "major change" in programming. There is no definition of a major change, and no dates are given. However, a citizen could ask for a public hearing at any time if he or she considered there was a major change, and the Regie could call a hearing at any time. The Public Service Board is peculiar to Quebec. There is some debate in Ontario as to whether the CRTC has any similar declaratory role in evaluating how TVOntario is meeting its mandate, according to the 1969 federal-provincial definition of educational programming, or whether the Authority itself has this role. The CRTC has kept a low profile vis a vis all provincial communications agencies, acting more as a cheerleader. This could change as signals extend beyond provincial boundaries. However, the relationship between the CRTC and the Authority in Ontario, the CRTC and the Corporation in Quebec, and the role of the Regie vis a vis the CRTC, is murky and best left unchallenged.

The second part of Radio-Quebec's mandate, outlined in the 1979 Act, dealt with regionalization. The regional emphasis was the result of a series of public hearings in 1975. These determined that autonomous regional committees directly linked to the cultural and educational milieu were essential to the establishment of relevant television in Quebec. Nine regions were identified, with each represented by a Committee of seven members. Each committee was, and is, responsible for identifying the needs of that region, and the resources required to produce a certain number of hours of programming.

Generally, about twenty hours is produced from each region each year, usually public affairs or public service programs. Each region has a budget of about one million dollars per year. There are no independent broadcast facilities in the regions. The network feed from Montreal goes, via satellite, to regional transmitters. When a regional program is scheduled the national feed is pre-empted and the transmitter picks up the regional program from a second satellite transponder fed from Montreal. The programs can be of specific interest to people in one region, to people in several, or to the whole province. Developments at Radio-Quebec are favouring the latter. A special fund was created in 1985 to support this kind of programming. The national and regional staffs work in a spirit of harmony and collaboration. Regional programming, and the approach taken to ascertain subjects and produce programs, is seen to be one of the distinguishing features of Radio-Quebec. It is part of what l'autre television means. It makes it different from Radio-Canada, and from other provincial broadcasters such as TVOntario which has regional councils but which keeps them away from deciding on or producing programs.

Radio-Quebec broadcasts ten hours per day, from 10 a.m. to midnight (somewhat shorter on weekends), 3,500 hours per year. It produced about 700-800 hours (600 national and 200 regional) and acquires 300-500 hours per year. The total is nearly the same as TVOntario, but the decreased air time means that the repeat factor is less. Radio-Quebec's yearly revenues are more than sixty million dollars, significantly higher than those of TVOntario. This comes directly from the National Assembly, separate from the budget of the Department of Communications. Radio-Quebec is completely responsible for its management. The weekly total cumulative audience is similar to that of TVOntario, something over 2.3 million, but this is about 52% of the francophone population of Quebec, and so is a very competitive reach. However, the competition for francophone viewers in Quebec is much less than English-speaking viewers in Ontario.

Radio-Quebec has identified three distinct audiences whom it endeavors to serve: the general population, the school population, and the continuing education population. Its focus and creative energies, historically and currently, favour programs for the general audience. Ongoing annual audience surveys, secondary analyses based on data obtained from Nielsen and BBM surveys, telephone feedback, information from regional committees, and specific formative research, are some of the methods used to determine the expectations and evaluate the network's success in meeting them.

In accordance with the mandate outlined in the Act, programming is divided into two fundamental categories; formal and informal. The latter is the more important and is subdivided into general culture, social and public services, and current affairs and public affairs.

Formal educational television is meant for a clearly identified and often captive audience within the framework of a specific program of study which, in addition to television, incorporates other media. It is usually accompanied by a variety of feedback and evaluation activities and, occasionally, by accreditation. Formal educational television relies on programming, production and utilization conceived in a systematic manner. It controls not only the development of its product but its use. This type of programming is generally broadcast during the day. It is designed for the education of children, and for the continuing education of adults. It is comprised of Quebec Department of Education documents for in-school use, as well as programs intended to respond to the needs of C.E.G.E.P.s (junior colleges) and universities, in particular Tele-universite and l'Ecole nationale d'adminsitration publique (Quebec's Public Administration School). About one-third of the corporation's broadcast time is devoted to this formal education. The program content is developed by the appropriate authorities. Radio-Quebec plays more of a distributor role. With the integration of the Audio/Visual section of the Department of Education (Direction de la production et de la distribution du materiel didactique) Radio Quebec will be called upon to play a more important role, as both producer and distributor, in this area of formal education.

Informal educational television has less clearly identified audiences. It is free from all curricular framework and is usually without the support of other media, feedback and evaluation activities. It relies on a systematic development of its programming and its production, but it does not control the use of its products by the viewers and cannot count on an organized audience. This informal programming is meant for a general audience. It is produced by communication specialists rather than by professional educators. It takes the majority of Radio-Quebec's resources and talent. It makes up the majority of all the hours on thenetwork, and virtually all of prime time. It is intended for a population in search of entertainment, but it does offer people an alternative kind of entertainment. It moves them gently into a learning mode; takes them from a leisure time of sheer relaxation to a leisure time which also offers the pleasure of learning. The objective of such programming is not so much the immediate acquisition of knowledge but the inculcation of a desire or an interest to learn. It is the same objective, ostensibly, as that proposed for TVOntario's Open Sector programming.

Under the general heading of Informal programs, those on the subject of General Culture are perhaps the most broadly interpreted. They occupy about 40% of the broadcast schedule. Their aim is to entertain, and to inform. They put the viewer in direct contact with cultural works in various formats and modes of expression. These include feature films, operas, concerts, plays, and variety shows. No need is felt to contextualize these programs or to build learning systems around them. No discussion has to follow a feature film, for example, in order to make it educational. The films selected are judged to deal with topics or cultures in significant ways and that is considered to be enough. Social and Public Services programs promote in the citizen an understanding of and the ability to deal with the challenges and problems of daily life. These programs provide concrete information, critical inquiry, practical suggestions and useful references. They often include support materials. Programs that fall under the formal heading are included in this subject category. In total, it accounts for about 50% of the schedule. Current and Public Affairs programs inform viewers and help them to understand what is happening in political, economic, social and cultural areas, both inside and outside Quebec. These programs have a distinct critical function; they attempt to analyze a situation and provoke debate on the part of the viewers. They take up about 10% of the schedule.

All programming of Radio-Quebec is planned in a very systematic manner. The principal subject areas are set forth in a three year plan, which leads to annual plans. These general programming directions are based on an extensive process of surveys and consultations and reflect the needs and interests of the nine regions as well as of the whole province. Once approved by the Board of Directors, these general directions are submitted to the Regie which determines their conformity to the imperatives of the Act respecting educational programming.

The annual plan includes an evaluation of the previous year's programming, proposals for the continuation of some programs and for the addition of others, as well as a choice of subjects for production, co-production or acquisiton. National programming, that meant for the whole province, is the responsibility of the Program Manager who relies on research surveys and consultation to make decisions. The regional portions of the annual plan are the responsibility of the Regional Managers who, likewise, rely on a consultation process and the recommendations of their committees. An integrated plan is then submitted to the Board. After an analysis by its programming committee, the plan is adopted.

Upon approval of the plan, a specific mandate for each series is prepared. This includes specific objectives, target audience, any production constraints, and criteria for evaluation. This guides the production team in structuring the series and is used as the basis for evaluation. For the majority of series, this is done by the Program Manager. Because of the relatively high cost, more formal and complete forms of formative and summative research and evaluation are applied to only a few projects. The guidelines for co-productions and acquisitions are established using the same process. Programs and series are placed in the network schedule in order to reach the maximum target audience, and to complement the programming on other networks.

Like TVOntario, this extensive process of consultation, research and planning supports the educational mandate, though Radio-Quebec interprets this mandate even more liberally than does TVOntario. It does not believe exactly that all that is cultural is educational or vice versa. It does believe that educational television must create and occupy a place where the two can co-exist comfortably. This place is the creation of writers, directors and producers. Very little, if anything, in the way of subject matter or format needs to be excluded. Professional sports and hard news is not done. Drama must have clear cultural overtones. But this derives more from a desire to be different than from any problem with educational definitions. For Radio-Quebec to be different is to be educational.

Radio-Quebec is very much in the business of competing for mass audiences. The movies it purchases are contemporary and first run. It does not feel the need to contextualize them. Likewise, its variety and drama programs are meant to be popular, to compete actively with other broadcasters in the market. Certainly in prime time, at Radio-Quebec the programmers and the producers are in charge, not the "educators" or bureaucrats. With no formal Authority status, Radio-Quebec has no permanent subject specialists or professional educators.

The business of Radio-Quebec is broadcasting, in a manner and to an extent beyond that of the other provincial communications agencies, even TVOntario. There is a genuine desire to produce and acquire "real" television, that which is professional and competitive; Quebec television, that which deals with Quebec themes and culture and features Quebec personalities; and television that is different, an alternative to regular television. L'autre television comes not only from the educational mandate and objectives, but also from original approaches and treatments given to specific programs. For example, Station-Soleil was a daily one-hour variety show which ran for three months during the summer of 1985. It mixed serious with light content; interviews on public themes with music and songs. La LNI is drama improvization using a hockey game format. In a theatre, teams dressed as hockey players act out themes presented to them and are judged by the audience in attendance. This has become a very popular program in Quebec and international teams are now competing.

Radio-Quebec is different from other broadcasters in Quebec, and from other provincial broadcasters in Canada, because it wants to be different, because it understands and values its distinctiveness. While, like Quebec itself, it may have appeared to be somewhat insular and defensive about this in the past, it is no longer. It sees distinctiveness, being an alternative, as a competitive advantage, both inside and outside Quebec. In this it is very modern, and reflects the reality of a fragmented television marketplace.

Because of its distinctiveness and its provincial mandate, Radio-Quebec has not interacted to any significant extent, on the programming level, with other Canadian broadcasters. Some co-production, and co-acquisition, is done with TVOntario. There is still a talent flow between Radio-Quebec and Radio-Canada. It does not have much of a market outside Canada for its programs. For all intents and purposes France is closed. It has, however, been a large user of National Film Board material, and it does co-operate with independent producers inside Quebec. This will increase as the producers are able to extract production money from Telefilm Canada. Co-productions with other broadcasters and producers across Canada are planned. Since many of these partners will be interested in maximizing revenues and/or appealing to different audiences the "alternative" vision may be tested.

However, the people at Radio-Quebec feel very strongly about the need to compete for the attention of Canadian audiences. Like the rest of Canada, provincial and federal, they see the major cultural threat as emanating from the United States; American programs in English and dubbed in French. Unlike some of the rest of Canada, they believe and are proving that Canadians will watch Canadian programs on Canadian themes; if they are done lively and well, and if they reflect local and regional themes of interest and meaning to the audiences. This is a message that Radio-Quebec will soon be broadcasting nationally. It comes from the heart of the Quebec cultural, educational and broadcasting experience. It is a very important message for the future of broadcasting in Canada. As national broadcasting more and more becomes international, regional broadcasting can more and more become national. This, in turn, can find international markets, as satellite channels look for distinctive programming. Radio-Quebec is leading the way in Canada, and is participating in a new French-language satellite channel serving all of Europe. The United States may be the next market. The only hope for Canadian programming to be competitive, at home and abroad, is not to imitate the Americans, but to be distinctive; l'autre television.

One aspect of this new outward-looking, entrepreneurial style is troubling some of the other provincial communications agencies in Canada. This relates to Radio-Quebec's increasing feeling of purpose to serve Francophones living outside Quebec. As "the cradle of French culture in Canada" Quebec believes it must be, and must be seen to be, a leader in this. While it is prepared to co-operate with groups and agencies in other provinces its leadership role is not to be compromised.

As agreement was reached recently between the Premier of Quebec and the Prime Minister of Canada that the programming of Radio-Quebec should be distributed via Anik D satellite to cable in all parts of Canada. Radio-Quebec is beginning now to negotiate with cable companies for carriage. The companies will decide whether or not to carry the signal. The potential market market is quite small; the actual market will be much smaller. However, the federal government is expected to carry the total cost of this service. A small percent of the regular Radio-Quebec service, for which national rights cannot be cleared, will have to be deleted. Programs from other parts of the country may be acquired and inserted in these places. This would result in more of a co-operative network service and it would better reflect the interests of the other regions.

While the decision for this satellite to cable service did not come from the federal broadcast regulator, nor was there any formal licensing hearing, the CRTC appears to be supportive. When Radio-Quebec appeared before the CRTC in May of 1985 for its licence renewal, the Commission invited Radio-Quebec to make known its stand regarding extension of its service outside the province. Indeed, it invited all the provinces to do the same, to reach beyond their borders to broaden the Canadian identity. Its written decision further supported this exhortation. However, the fact that this new national service is not a co-operative effort involving the provinces and/or their communications agencies appears to challenge provincial jurisdiction over education. Also, this federal-provincial agreement to allow Radio-Quebec to distribute its programming via cable in Ontario just when TVOntario is getting ready to launch its own satellite-to-cable French service, does not help to strengthen inter-provincial ties. This is unfortunate at a time when Radio-Quebec itself believes that Canadian co-operation among the regions is essential to produce competitive programming.

A final issue, one also of controversy and distinctiveness in the council of educational communicators, was also supported by the CRTC at the May hearing, and in the licence renewal decision released in July. For a two year trial period, the Commission allowed Radio-Quebec to sell commercial advertising time.

Like all other public broadcasters, provincial and federal, Radio-Quebec is constantly in search of additional sources of revenues. It does not have much of a market potential for program sales. Like other provincial agencies, it pursues corporate underwriting, sometimes almost a synonym for program sponsorship, but unlike the others it has taken the next giant step. This decision has been circumscribed by several principles. For example, messages will not be presented during a program unless natural pauses occur; they may vary in length from 8 to 120 seconds, but will not exceed six minutes per hour; prices will not be mentioned and no comparisons will be made.

Radio-Quebec believes that, because of its educational mandate, its share of the market in Quebec will not exceed 10%. (This would be quite competitive.) Therefore, it projects that non-government revenue, including that from the sale of commercial time, will not exceed 15%. Because of its dependence on the provincial government for 85% of its revenue, as well as its own belief, both practical and philosophical, in its mandate it maintains there is no danger that education will be undermined. There is a belief that the commercials will help the network look more like "real television" and therefore, aid in its popularity and reach. Certainly, because something is sponsored doesn't make it any less worthwhile. However, it can change its nature. Commercial television is a different culture than non-commercial, public television. The effort required to sell six minutes per hour of air time, regardless of the actual income generated, could easily work to change the nature of Radio-Quebec. L'autre could become L'similar.

The history and present model of Radio-Quebec illustrates that an educational mandate need not limit the style or effectiveness of public broadcasting at the provincial level. Indeed, it can be the source and inspiration for a successful alternative service. Certainly for Quebec, specific provincial characteristics are sources of originality and strength with regard to cultural identity. While these may not be quite as obvious in other provinces, they do exist and can be best reflected and developed at the provincial level. Governments at both levels should encourage the provincial communications agencies to further reflect their regional characteristics and to further develop their educational objectives. L'autre television is a good objective for all the provinces.

Notwithstanding its unilateral move to distribute its signal nationally, Radio-Quebec appears to be among the most open and positive of all the provincial agencies in its desire for co-operation and exchange of experiences. It believes strongly in the development and expression of indigenous cultures through engaging programming at the provincial level, and then the national distribution and exhibition of such programming. It believes, further, in the development of other Canadian channels to serve specialized needs such as formal education, professional specialization, and youth.

Radio-Quebec's plans call for more and better programming, for higher quality production and for higher ratings. It hopes for a consolidation of its distinctive character and an increase in popular appeal. This is tied, in turn, to a desire for greater financial independence through the sale of air-time, sponsorships and co-productions. While this focus on programs and programming is laudable, and distinctive among the provincial agencies, some of these objectives may be incompatible with a desire to be innovative and distinctive. A more intensive role in formal educational television "learning systems", as the people from the Audio-Visual section of the Ministry of Education join Radio-Quebec, may act as a leaven for some of these educational mandates.

Radio-Quebec and TVOntario are certainly the most similar, and most compatible, of the provincial educational communications agencies. They have a great deal to learn from each other and to contribute to the rest of the country. TVOntario began in a quite traditional educational milieu but developed quickly to be innovative and competitive. It too has tried to be different, to find a viable competitive niche. It does not have the protection of language nor the corollary, a distinct and distinctive market. It has had to move and shift as North America competition changed. Currently, its plans call for more structured "learning systems", featuring various forms of accreditation, as other services provide broader forms of general educational and cultural programming. Radio-Quebec could benefit greatly from this experience while contributing something of its own creative purpose, assurance, energy and style to the Ontario Authority.

TVOntario, like much of English Canada's television, is tired from years of trying to attract people's attention at eight or nine o'clock at night. Because of the continuous and crushing prime time competition, to say nothing of its meager budget, TVOntario tends to look more to foreign acquisitions, mostly British, for its distinctiveness. Radio-Quebec, likewise, relies on acquisitions for a large part of its audience, but it does appear to have a distinctly powerful commitment to produce programs that are different and that people will watch.

Even with the language barrier, the different markets, and somewhat different mandates, closer day-to-day working relationships, particularly at the creative level, between Radio-Quebec and TVOntario could lead to modifications and improvements in both agencies. Targetting structured learning systems, and using a variety of media are valuable techniques in a fragmented marketplace. Energy and creative commitment are important ingredients for any kind of production. Montreal and Toronto are, and will remain, the heartlands of the television production industry in Canada. Radio-Quebec and TVOntario are important players in these heartlands. Both the provincial and federal governments should take a renewed interest in helping to ensure that these agencies are healthy, that they communicate, and that they continue to lead in the development of strong regional programming in Canada.

A decision taken by the CRTC in January of 1985 to licence a second educational television station in Montreal and a satellite to cable educational network has implications for both Radio-Quebec and for

TVOntario. In its capacity as the Authority in Ontario, TVOntario appears to be taking it more seriously or at least appears to be more concerned about it than does Radio-Quebec.

CANAL (Corporation pour l'Avancement de Nouvelles applications des Languages Ltee.) was authorized by the Commission to operate an educational television station in Montreal and a television network to distribute to cable television undertakings via satellite educational programming. CANAL is a non-profit corporation composed of Quebec collegiate and university educational institutions, which at present has thirteen members, including "Tele-Universite" of the Universite du Quebec. The corporation's aim is to administer the broadcasting of programs provided entirely by member institutions, including the development of programming schedules and the provision of technical maintenance. At the present time, "Tele-Universite" offers televised and correspondence courses; the televised courses are carried on a number of cable television undertakings in Quebec through a bicycled distribution system of video cassettes, as well as by Radio-Quebec. CANAL will be financed, for the most part, by annual membership fees to be paid by member institutions calculated on the basis of air time used.

The decision by the CRTC explained that CANAL is to provide a unique and innovative service that will complement existing radio-television services in Quebec, including that provided by Radio-Quebec. Although Radio-Quebec holds a licence to operate an educational network, its programming is generally aimed at a wider audience than CANAL's target audience and its educational character is not necessarily or primarily defined in terms of formal education. Radio-Quebec broadcasts about fifteen hours per week of "tele-Universite" programs, only one of which is a credit course. CANAL's proposed programming is composed mainly of credit courses, general education courses and programs which provide information with respect to the other programs broadcast.

CANAL will operate a 100-watt, UHF transmitter on Channel 62 in Montreal. The CRTC stated that all cable companies within the station's A contour must carry the signal on the basic band. However, CANAL has said it would not object to mid-band or super-band carriage. In addition, the licensee has proposed an arrangement with La S.E.T.T.E. for a period of three hours per day (twenty-one hours per week) to be set aside for CANAL programming on the La S.E.T.T.E. transponder.

At the CRTC hearing, CANAL indicated that some of the programs provided by member institutions will be sponsored. These programs will be produced and financed by contributions from sources other than the general revenue budget allocated for programming. Referring to its 1981 decision to allow TVOntario to mention the names of sponsors on the air, and the experimental nature of the CANAL project, the Commission allowed this sponsorship. This will be reviewed in six months (now past) and the licensing itself is just until September 30, 1987.

Radio-Quebec did not intervene on this application, but there is some real question about its effects on particularly the formal educational programming of Radio-Quebec. This is supposed to increase due to integration of the Audio-Visual section of the Department of Education.

TVOntario was concerned because the carriage of this service on La S.E.T.T.E. will bring another French service into Ontario but also because this is just one more example of the privatization of educational broadcasting and the introduction of more competitive services. The word "sponsorship" is used in the English version of the CANAL decision, whereas the word "underwriting" is used in the TVOntario decisions. Further, the Ontario Authority was concerned that CANAL is not subject to supervision and assessment by a Quebec provincial Authority, i.e., to an Authority designated by the federal government for this purpose, only to the Commission's supervision and regulation. However, like all such agencies in Quebec, CANAL is subject to review by the Regie des services publique.

CHAPTER 6

THE ATLANTIC PROVINCES

Memorial University in Newfoundland has been the most active centre in the Atlantic region, since the 1960s, in the production and disttibution of educational television programs. It has produced programs for closed circuit use within the campus, for outside use via the university's continuing education division, and has pioneered in using television for distance education and teleconferencing. Only a few years ago is was discussing the possibility of extending its service regionally via a co-operative arrangement with the Canadian Satellite Communications Corporation (CANCOM). However, recently the university decided not to expand in the business of educational television on its own, and, in fact, pulled back considerably on its former activities.

The government of Newfoundland, through its Department of Education, has cooperated with the other Atlantic provinces in providing educational television programs to the schools, and is cooperating currently in providing programming for the Atlantic Satellite Network (ASN). As in most other provinces, the Department cooperat ed with the CBC in providing radio and then television programs to be aired over CBC and commercial stations for use in the schools (Kindergarten-grade 12).

But most of the impetus for public/educational television in Newfoundland has come from the Educational Television Centre of Memorial University. The Centre operates its own public channel (Memorial University Television) in St. John's and surrounding areas. It is not "broadcasting" but a cable service provided through the facilities of a local company, Avalon Cablevision, as a condition of licence and extended to other systems as they are interested. In addition, the Centre distributes video tapes on an occasional basis to other cable companies, and provides programming to the Atlantic Satellite Network. Over the years, proposals have been submitted to the government for everything from a provincial television broadcasting service to the underwriting of the distribution of Memorial University Television to all cable operators on the Island, but to no avail. One very successful and innovative project of the Centre is called Playback. This allows the audience to request programs by telephone from a catalogue of about 800 titles. It is fully booked and has been from its inception in 1978. However, in a tight financial climate the survival of the Centre has depended on responding to the needs and interests of the University, particularly to its commitment to Continuing Studies. The equipment and staff is used to produce university courses offered throughout the province, delivered on videotape with interaction through teleconference techniques. This has been done since 1969 and the Centre has probably gained more experience than any other group in Canada in offering credit courses on videotape. General interest, or public, programming has taken second place to these credit courses and is expected to continue to do so.

Since the early 1960s Nova Scotia's Department of Education has been involved in providing educational television programs to teachers and students in classrooms throughout the province. Production facilities owned by the CBC and, beginning in 1974, by the Department of Education, have been used for the production of programs. The Department's facilities are now used for the production of programs for cable distribution and for use on the Atlantic Satellite Network. The first experiment with cable distribution was in 1977/78 to serve primary and secondary schools in Kentville. More recently, cable facilities have been used in Colchester to provide programs to classrooms on demand from teachers. Video tapes were delivered to the cable operation and teachers scheduled them for their own convenient use. In addition, some schools were equipped with video tape recorders and playback facilities.

To a lesser extent, Prince Edward Island and New Brunswick have used video tape and film to provide educational programs in classrooms. There has been some activity in the area of adult and continuing education but the majority of programming has been of the traditional schools variety. While there was some sharing of programs between Nova Scotia and Prince Edward Island, prior to 1980, there was no extensive coordination of production or distribution on a regional basis.

Even though all four Atlantic provinces had been cooperating since the 1950s in the co-production and sharing of media resources, the process that began with the Therrien Committee in 1980 provided a catalyst for creative thinking and prompted more co-operative planning among the three provinces. In January, 1980, the CRTC announced formation of a committee to study and report on "how the number and variety of television services to northern and remote communities might best and most expeditiously be increased." Nova Scotia's submission to this committee, that same January, urged "that the definition of remote areas in the context of extension of services should include those parts of southern Canada that do not now receive adequate television services or any at all." When the committee reported in July it said that "there are tens of thousands of Canadians who are underserved by any standard even though their communities cannot be described as geographically remote."

In October, 1980, the CRTC called for applications for the extension of service to remote and underserved communities. The commercial television service, the Atlantic Television Network, ATV, filed an application for ATV-2, which was to be an alternative service providing satellite to cable television programming to the Atlantic region, unscrambled and commercially supported. One distinctive feature of this new service, which had been developed through a co-operative arrangement worked out with all four governments of the Atlantic provinces, was to be four hours each weekday of educational programming. The Premier of Nova Scotia filed an intervention in support of the ATV-2 application, stating that "the television service proposed by ATV would provide the Maritime Provinces with the vehicle to regionally distribute educational program material at no cost for transmission time and (would) thus avoid the high cost of provincially operated broadcast facilities." The Premier stated, in addition, that by using Anik B and Anik C satellites, "it may be possible to reach remote schools by direct transmission to the individual school." It is interesting, historically, to note that this plan was quite similar to the one proposed by Ken Soble in 1966 for the NTV network, except that the Soble plan was for a national service. It is interesting further to note that one reason for the Maritime co-operation at this time may very well have been, as there was in the west, a perceived threat of an "Ontario invasion". A rival applicant to ATV had proposed the carriage of part of the TVOntario schedule. While the Maritimes provinces were not opposed, in principle, to cable carriage of TVOntario, they did not want the Ontario service to become, officially, "the education service".

A plan developed by the various Departments of Education for enhanced regional co-operation in public school education was endorsed by the Premiers of Nova Scotia, Prince Edward Island and New Brunswick at the December 8-9, 1980, meeting of the Council of Maritime Premiers. The intent of the plan was to avoid duplication, reduce costs and develop within the region teaching resource materials of relevance to the region. Increased cooperation was to be pursued in the area of local production, distribution and acquisition of media resources. It was pointed out that the proposed ATV-2 distribution system, which had come about at the same time, would complement the activities of local school boards in educational programming by providing a regional programming service and would greatly assist in achieving the objective of greater regional co-operation in the whole educational field. ATV-2 would distribute programming from satellite to cable and from satellite direct to school or home. A committee was formed, representing the various Departments of Education, to work out programming details with ATV. The provinces were to be responsible for all programming. ATV would supply air time and transmission facilities.

Nova Scotia took the lead in all of these negotiations and planning activities. In April, 1980, the government created, by Order-in-Council, the Nova Scotia Educational Communications Authority. It consisted of the Deputy Ministers of Education and of Transportation or their designates. The Authority was created for the specific purpose of complying with federal order PC 1970-496 in order to reserve a channel on cable operations for use by the Department of Education, or interested school boards. However, since there was never any "broadcast" use, it is a moot point that it was ever needed. There was certainly no need for it for the ATV arrangement. However, since the Department of Education continued, and continues, to operate an educational channel to feed post secondary programming via cable to three metro areas, the Authority designation was useful in securing a reserved channel, even though it is a closed-circuit operation. The Nova Scotia Authority was a legal mechanism only, with no funding or staff attached to it, and no production, programming, or distribution responsibilities.

During these early planning stages, although the government of Newfoundland was involved, Memorial University chose not to participate. Memorial still had plans for an independent Newfoundland originated service. There was no opposition to the ATV proposal, nor to the cooperative effort among the other three provinces, but because of the history of leadership achieved by the University, and the possibility of a cooperative arrangement with CANCOM, a desire persisted to go it alone. Eventually, economic realities and the opportunity to participate in an efficient distribution system, moved Memorial to cooperate more fully. Currently, the province and the University are actively involved.

The CRTC hearing was in February, 1981. The decision approving the Atlantic Satellite Network was released in April. It made particular note of the educational time available each weekday. Because of technical difficulties it was not possible for the network to make use of Anik B, so operations had to wait for the launch of Anik C. It went on air in May, 1983. Anik C-3 was used. The signal was unscrambled and intended primarily for redistribution by cable systems. However, because of the use of the relatively higher powered Anik C satellite, individuals and schools in rural areas could more easily afford receiving dishes.

The signal of ASN originates from Halifax and covers all of Atlantic Canada; Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland. All cable operators are expected to carry the service on a basic channel, (i.e., 2-13). The educational program schedule began with 16 hours per week and grew to 23.5 hours in the first two years, with four hours each weekday (10 a.m.-12 noon and 1 p.m. to 3 p.m.) and 3½ hours on Saturday (11:30 a.m. to 3 p.m.). Coordination of the Atlantic Provinces Educational Television Services is provided by an ASN liaison committee representing the governments of all four provinces, and by a Program Committee. This latter committee looks after the day-to-day duties and is chaired by the Director of Communications Policy with the Nova Scotia Department of Transportation. He appeared on behalf of ATV at the licence renewal hearing held in May, 1985, and reported to the CRTC that the educational television service is considered a success. In addition to expanding the time beyond the originally mandated 20 hours per week, the commercial network provided $75,000 for each of the first two years for the purchase of educational programs.

During the first two years the programming served the needs of a variety of educational audiences. It was divided between school programs (in English and French) and programs designed to be used by adults as part of university and business courses. All of these could be and were used also by casual viewers in the general audience. However, as expected, general audiences were not large, varying between a few hundred and a few thousand. Programs were produced in the region, or acquired from sources such as TVOntario and ACCESS Alberta. The single series watched by most people was Bits and Bytes produced by TVOntario. This was aired in association with a computer course offered by the University of New Brunswick and several other universities.

The Program Committee sees its service for the Atlantic Provinces as essentially different from Educational services such as TVOntario and Radio-Quebec and similar to those provided by the Knowledge Network in British Columbia and ACCESS in Alberta. It is not perceived to be a mass audience service, but one designed for a variety of rather small, specific groups, particularly those taking credit courses at home, classes in school, and that sort of thing. One problem with this analysis is that neither TVOntario nor Radio-Quebec think of themselves as "mass audience" services. Rather, they think of themselves as serving various specific audiences as successfully as possible so as to justify the costs of production and distribution and to fulfill their educational mandates. Granted, their budgets, audiences and expectations are higher than the two western agencies, but that is just the point. While there is no generally accepted measurable connection between budgets and audiences, they are connected. If expectations remain low, so do budgets. If budgets are low, so are audiences. When audiences are low, budgets remain low. This is not to suggest that either large budgets or large audiences are necessary in order for an educational communications system to be deemed successful; only that there is a cause-effect relationship between the two. Even universities have discovered this fact of modern life.

The credit courses given by regional universities in cooperation with the Atlantic Provinces Educational Television Services tend to attract anywhere from 100-200 students. Eventually, the Committee, and the Atlantic Provinces, will have to face the question of dollar value to justify this sort of distribution system. Every use of television technology, since the first credit course in 1960, through the use of closed-circuit at universities, to the establishment of communications authorities in the various provinces, ultimately has had to do some sort of cost-benefit analysis. Registrations for credit courses alone have never been enough to justify the costs. Some appeal to the general audience has always been necessary. This will continue to be the case, especially in an age when cheap and reliable video tape playback machines provide maximum flexibility for in-class utilization and when cheap tape means that multiple copies of programs can be made and delivered by mail. Satellite delivery is expensive, especially when daytime periods can be used to appeal to wider audiences and even earn revenue. Late-night periods can be used, more economically, to deliver programs to video tape recorders. Distance education, while important educationally and politically in every province, must be cost-effective. Television is an expensive medium and needs to be analyzed carefully to determine if it is the best medium, educationally and economically, to reach a desired objective.

Currently, besides the appeal to adults in their homes by the university credit courses, the network is being used as a delivery mechanism to get programming for grades Kindergarten to 12 to schools throughout the region. Both broadcast and duplication rights to the material are purchased so that schools can tape off air. This is coordinated through the Maritime Media Committee. Most of these programs are purchased by the various departments of education. About 70% of this is in English and 30% in French. The universities pay for the costs of their own courses.

The Committee does not see itself, nor the Atlantic Provinces Educational Television Services, as any sort of "educational authority". It believes that authority rests with the governments. ASN simply provides a block of time and the Committee decides on the programming. Any of the provinces or educational institutions, in particular Memorial University, are free to do other independent projects whenever they like.

While the Committee does not see any immediate need to develop its own network, it does not close the book on that possibility sometime in the future. It does not see a growth potential beyond perhaps 30 hours per week on the Atlantic Satellite Network and believes it is just scratching the surface of educational needs in the Atlantic region. Business and professional training, hospitality management, tourism, all offer educational television possibilities.

Like the other regions in Canada, the Atlantic Provinces believe there should be more regionally based television production activity. However, at present at least, they appear content to let the CBC produce and broadcast the general interest, or "informal educational" material, while they concentrate on "formal" education. This could change as the need develops for a discreet educational network and as all the costs relating to production and distribution are calculated.

CHAPTER 7

MANITOBA

Commercial broadcasting was introduced in Manitoba in 1922 by the two Winnipeg newspapers. Each operated a radio station. However, the stations lost money and the newspapers suggested to the provincial government that the Manitoba Telephone System (MTS), a provincially owned utility, take over broadcasting in the province. After receiving assurance from the federal government that no commercial stations would be licensed without provincial approval, and after negotiating with Ottawa a 50-50 split of radio licensing revenues, MTS opened radio station CKY in Winnipeg in March, 1923, and CKX in Brandon in 1928. With the passing of the Radio Act in 1932, the federal government determined to regulate the Canadian Broadcasting System and to no longer grant licences to provincially owned undertakings. Ottawa went back on its assurance in 1933 when it granted a licence to a private Winnipeg broadcaster without consulting provincial authorities. For some years Manitoba tried to work within a cooperative framework and carried early CBC programming on its two stations. However, in 1948 it sold CKX to a private consortium and CKY to the CBC.

MTS got back into the broadcasting business in the 1950s by providing microwave service to extend the CBC television network throughout the province. During this early period, and later when CBC was implementing its accelerated coverage plan, MTS provided services at rates below those in other provinces, in order to encourage the extension of broadcast services to more remote areas of the province. In addition to its ownership of microwave facilities, MTS, like SaskTel, owns the cable television wiring in the province. If an entrepreneur obtains a licence from the CRTC to operate a television receiving undertaking in Manitoba, MTS will install and maintain the cable distribution system, so that the entrepreneur only has to raise capital for the head-end equipment and for initial operating costs.

Between 1967 and 1976 Manitoba's ownership of cable precipitated a number of jurisdictional concerns over the regulation of broadcasting (federal jurisdiction) and the responsibility for telecommunication matters of a non-programming nature (provincial jurisdiction). These issues were largely resolved in 1976 when the two governments signed the Canada-Manitoba Agreement on Broadcasting and Telecommunications. No similar agreement was signed by any other province. The agreement confirmed the federal government's responsibility for all program services carried on cable distribution networks, while confirming Manitoba's telecommunication responsibilities. This agreement permitted the expansion of cable services through cooperation between MTS and private cable operators licensed by the CRTC. The arrangement has been highly beneficial, financially, to the private operators. 1983 Statistics Canada figures show an average cable operator net profit-margin before taxes in Manitoba of 32% compared to a national average of 12%.

Federal-provincial cooperation was continued in 1984 when the two governments entered into an Economic and Regional Development Agreement which identified the cultural enterprises and communications sectors as priorities. Those sectors were recognized by both governments as offering major opportunities for employment creation, productivity improvements, and other economic benefits. Encouraging expansion in communications and cultural enterprises, particularly in the areas of film, video and audio development, was seen to be consistent with the federal and provincial efforts to diversity provincial, regional and national efforts, and to build on existing strengths. Both governments recognized also the importance of strong communications and cultural enterprises to the quality of life in the province.

By participating in this agreement, Manitoba made a commitment to develop a strategy which would encourage the production of programming reflective of the cultural diversity of the people, and provide jobs and other economic benefits. Of the $21 million being disbursed under the agreement, a large portion is directed to the support of film, video and audio production. It has been agreed that producers who meet the criteria to receive funds from this agreement will also have access to financial assistance from Telefilm Canada.

It is anticipated that the regional production activities, supported by the Economic and Regional Development Agreement, will help produce material which will gain access to national distribution and will help build a viable regional industry. In order to ensure an adequate level of production activity and to maintain a critical mass of talent and facilities, after the expiry of the agreement, Manitoba is looking to support from the CBC and, possibly, from a national children's specialty channel. The province points out that, in its application to the CRTC, Young Canada Television (the NFB supported service) indicated its intention to explore the possibility of establishing its origination centre in a number of Canadian cities other than Toronto, Ottawa or Montreal. The province would like to see it situated in Winnipeg. Likewise, it wants the CBC to upgrade its Manitoba facilities and make these available to independent producers.

Manitoba, like all the other provinces, save Ontario and Quebec, sees the CBC as providing the "public broadcasting" service, and argues that the Corporation should be producing more and originating more in the province, in order to reflect the regional culture. It points to the Broadcasting Act to support its case that the national broadcasting service serve "the special needs of geographic regions, and actively contribute to the flow and exchange of cultural and regional information and entertainment." Manitoba is a firm supporter of the CBC, and believes that the lead role in developing Canadian programming will have to be taken by the Corporation, and by Telefilm Canada. The private sector can help by cooperative projects with Telefilm. In addition, the government of Manitoba is supportive of an all-Canadian children's specialty service network, especially if it originates from the province.

The government is critical of the CBC's lack of support for regional production, especially by independent producers, and of a similar lack of support by Telefilm Canada. Like most of the smaller provinces, Manitoba does not believe it is getting back proportionately what it contributes to these national services. The govvernment points to the National Film Board as an example of a federal agency which has been organized in such a way as to assist the local film industry in Manitoba. The regional office of the NFB uses existing independent artistic and technical resources in the community, rather than obtaining its own production staff and facilities. As a result, it has provided opportunities for Manitobans, produced films which reflect the local environment, and established a strong relationship with the independent production industry in the province.

Historically, Manitoba has not been very active, on its own behalf, in developing public/educational communications. This may have been due, in part, to the fact that it signed the 1976 agreement and so expected the federal government to look after much of this for it. Like the other provinces, its Department of Education cooperated with the CBC in providing schools programming and distributes audio visual learning resources to the schools. It established a media productions division. But a lack of funds prevented expansion. During the 1980/81 school year the Department, in association with the Manitoba Telephone System, entered into an experiment with TVOntario which allowed nine schools in four rural locations and four schools in Winnipeg, as well as individual homes in Headingly, to pick up and use the Ontario network's signal from the Anik B satellite. However, this experiment was not continued beyond the year because of lack of funding by the province. There was also a field trial conducted in Elie-Ste. Eustache in which residents had access to computer assisted interactive instruction via telidon terminals fed by the Elie fibre optics broadband transmission system. On the municipal level, the St. James-Assiniboia School Division has established an instructional television system which has a library of video tapes at the secondary school and adult educational levels. These are distributed to the Division's schools using microwave transmission facilities. The first application of coaxial cable for educational purposes was between two teaching hospitals in Winnipeg, the Health Sciences Centre and the St. Boniface Hospital. This link, which was installed by the Manitoba Telephone System, connects students and instructors in both hospitals and has a two-way capability.

The CRTC, for some years, reserved a VHF frequency in Winnipeg in case the province wanted to use it for educational broadcasting. This was never done and finally, this past year, the provincial government confirmed officially that, because of financial and other considerations, it has no plans now, or in the near future, to use this channel.

A very tentative step is being taken this year, however, by the Department of Education to use some of the four hours per day of morning air time offered by the Winnipeg independent television station CKND-TV. The Department does have the freedom to do anything it can in this area within its existing budget. Beginning this past November, 1985, it provides one hour per day, five days per week, of educational programming aired on CKND and a number of cable companies throughout the province. About 80% of the population is reached in this way. The programming is divided almost equally between that designed for Kindergarten-grade 12 and adults. Much of it is acquired from sources such as TVOntario, but programs produced by Manitoba Education's Media Productions are also used. Careful evaluation involving teachers throughout the province will be done before plans are formulated to use the additional air time. However, since a coordinator for educational television in Manitoba has been appointed and a small staff hired, expectations are high that at least the remaining three hours per day will be used.

At a recent CRTC public hearing held in Winnipeg, a community group applied to use the last available VHF frequency to offer a blend of ethnic, community, and educational programming. The group was underfunded so it is doubtful the application will be successful. However, it created some concern within the provincial government for fear that if such a licence were granted provincial funding would eventually be required to support some of the programming. Since one objective was education, the province would have had difficulty ignoring it. Manitoba remains concerned that federal policy and/or decisions may draw the province into funding services it cannot afford.

CHAPTER 8

SASKATCHEWAN

To understand the role of Saskatchewan in public/educational broadcasting, it is useful to look at its role in telecommunications generally. From the beginning the province has played an active and activist role in providing a full range of communications services to the public. Commercial profitability has always been balanced against social benefits in the construction and operation of communications systems. These systems have been regarded as instruments of public policy, an objective similar to that of the federal government. The difference in Saskatchewan is that the government has taken more practical steps to make the policy work.

Since the arrival of the first telephone in Saskatchewan, just after the railroad, the development of communications has been a constant struggle to provide good service at reasonable cost to a vast, sparsely populated area. The first government in the province, between 1905 and 1909, made the takeover of private telephone companies and the consequent public provision of telephone service one of its major objectives. The Bell Telephone Company and others refused to provide telephone service to the rural areas that needed it. In 1908, the government established the Department of Railways, Telegraphs and Telephones. Telephones was included in order to purchase the existing private systems and provide urban and long-distance interconnection facilities; to enable municipalities to finance construction of public telephone systems through the use of debentures; and to allow rural residents to band together in co-operatives to construct rural telephone lines, financed in part by loans and subsidies from the new department. This unique program was the foundation on which Saskatchewan has built its telecommunications system.

In 1947, Saskatchewan Government Telephones (SGT) was established as a crown corporation. In 1969, the corporation's name was changed to Saskatchewan Telecommunications (Sask-Tel) to reflect the growing diversification of its many services. Over the years service expanded into radio, television, cable, satellites, facsimile, business information, and now fibre optics.

SaskTel (the hyphen was dropped last year) is now fully into the conversion to digital switching systems, the systems of the future featuring far greater speed and capacity to the presently used analog systems. The plan is to have an all-digital integrated telecommunications network in place by 1995. The start of construction on the world's longest commercial fibre optics network in 1980 was a major step towards this digital goal. Now complete, this network is used to carry not only telephone conversations, but video signals and data communications. This fully integrated, 3,268 kilometre network has brought ultra-modern telecommunications technology to over half of the province's one million residents. This is an integral part of the government's plan for economic development in the province. This is expertise in which Saskatchewan has developed a leadership role. The installation and maintenance of a fibre optics system on such a scale has not been done elsewhere in Canada. This has been complemented by the construction of a Northern Telecom plant in the province. There is now SaskTel International which sells expertise and services on the ingernational market. These marketing opportunities will increase as fibre optics is seen as a more desirable alternative, in many cases, to satellite distribution.

In 1976, the government of Saskatchewan appeared before the Canadian Radio-Television Commission to argue for the inclusion of cable television service as a part of SaskTel. Saskatchewan's cable policy was to foster the construction of an integrated provincial telecommunications system which would deliver all forms of signals and services including telephone, television, business information, and educational services to as many people as possible at a reasonable cost to all users. The Saskatchewan brief argued, in part, that the federal government and the CRTC should recognize the regional development potential of broadcasting and other telecommunications services and that they should recognize the validity of a distinction between medium and message as a basis for achieving development objectives in at least some regions.

This latter point was, and still is, important because it places cable clearly in the role of common carrier and thus an appropriate part of the telecommunications system. Cable companies in other parts of the country were at this time, and still are today, arguing against this role of carrier and for a role as an integral part of the broadcasting industry. That is, the private sector cable industry has argued consistently that it should be allowed to be in the business of programming as well as the business of carriage. The Saskatchewan government was fully aware of this issue and the strong argument against the integration of cable with telecommunications. However, the government believed that the special circumstances that prevailed in the province tipped the balance strongly in favour of integration, with proper safeguards to ensure the independence of the controllers of content. In any evants, Saskatchewan believed that cable was a part of the telecommunications system, i.e., it was point-to-point, or closed-circuit, and not broadcasting, and it argued that the CRTC lacked the authority to make decisions over the future of the telecommunications (i.e., carrier) aspect of cable, as distinct from its broadcasting aspects. In appearing before the CRTC, the government was seeking endorsement by the Commission and the federal government of its plan to integrate cable signal delivery hardware with the other hardware owned by SaskTel.

The government of Saskatchewan has always been consistent in its claim that cable television, as well as the authorization and regulation of the local exhibition of pay television, is properly a provincial responsibility. At the federal-provincial conference held in Edmonton in 1977, Saskatchewan announced that it was formulating its own approaches to pay television. The government passed the Community Cablecasters Act which set forth statutory conditions for the operation of "cablecasting services" in the province, including pay television. Cablecom Corporation, a consortium of public and private investors, did provide pay television service under the name "Teletheatre" to three Saskatchewan cities, Regina, Saskatoon and Moose Jaw. This company went out of business when the federally-licensed pay television came into the province.

SaskTel won the exclusive right to provide all CATV/pay TV haul and distribution hardware, save for house wiring, in the province. Federally regulated private sector cable companies were licensed in Saskatchewan to serve individual residences. SaskTel provided all the distribution wiring. This created some problems. A critical case, referred to earlier, was the clash between Saskatoon Telecable Limited and SaskTel over the installation by the cable company of its own satellite dish to receive the proceedings of the House of Commons. The problem developed because the cable company wanted to use SaskTel wiring to distribute the signal. This was expressly forbidden in the contract. An amendment to the Saskatchewan Telecommunications Act, in June, 1980, had introduced a policy of banning attachments of equipment without SaskTel's approval. SaskTel jammed the cable company's reception, which resulted in a complaint to the Commission. Finally a compromise was reached and Telecable was able to use SaskTel equipment to receive the proceedings of the House of Commons. Recently, in order to extend services to areas of the province which are not reached by the SaskTel cable distribution system, the government decided that redistribution companies, using cable or broadcasting, serving small communities, do not have to connect to the SaskTel fibre optics system.

It is interesting to note that currently there is talk again at the federal level about the practicality of large common carriers providing integrated services, including cable. If SaskTel's use of fibre optics proves successful in the long term, and it looks very positive in the short term, we can expect more of the provincial telecommunications carriers to look again at doing the same. The economics of distribution point in this direction. The politics of maintaining a clear distinction between content and carrier do too. Increasingly, it is clear that many of the traditional private sector cable companies in Canada are unable to decide whether they are common carriers or content providers. They want to be both. The larger companies especially insist on being allowed to provide channels of programming and even to sell commercial time in those channels. Some of these channels may be filled with so-called "non-programming" services, such as real estate listings or shopping information, but all of this is content and the cable companies want to supply it because they own the distribution hardware, all without recourse to public hearings. This combining of carriage and content roles is not acceptable to other content providers, such as the traditional broadcasters, and the federal government may find it advantageous to look again at the SaskTel model, which provides one efficient, integrated telecommunications delivery or carriage system but stays strictly out of the business of supplying content, or programming.

Like most other provinces in Canada, the Ministry of Education in Saskatchewan co-operated with the CBC in using the schools broadcasts, both radio and television. Gradually, the Ministry got into the audio visual business in order to distribute tapes and support materials to the schools. There was never any attempt, nor apparently any desire, to get into the broadcasting business, with either radio or television, at the provincial level.

In 1974, the government created, by statute, the Saskatchewan Educational Communications Corporation, known as SaskMedia. The Act also led to the creation of an Educational Communications Authority which consisted of an Executive Council (or Board of Directors), appointed by the Lieutenant-Governor-in-Council. SaskMedia reported to the Authority as well as to the Minister responsible for the Corporation, normally the Minister of Education. The Authority determined all matters of policy as well as assessing the educational priorities of the province and making sure they were met by the Corporation.

As was the case in Nova Scotia, there appears to be no good reason for the establishment of an authority, except as a hedge against technological and jurisdictional developments. Sask Media never involved itself in broadcasting and never applied for a licence. Rather, it extended the audio-visual library and distribution services of the Ministry of Education. Its objectives were to encourage the use of educational media, to increase and improve the learning resources available in the province, to recognize the needs of minority groups, to provide opportunities for people involved in the arts, to support "public access" to production facilities, and to develop materials that would support all levels of education.

Sask Media produced, acquired, and distributed educational materials on audiotape, videotape, and 16mm. film, as well as in print form. This was done in cooperation with agencies such as the Department of Education, the Saskatchewan Safety Council, Credit Union Central, and other community based organizations and associations. The corporation was funded by the provincial government and, in 1980, its budget was slightly over $2½ million.

In 1980/81 the government began to consider broadcasting, or really electronic distribution, as well as just tape distribution by mail. A new Conservative government, elected in 1982, reduced the role played by Sask Media and put tape distribution back into the hands of the Ministry of Education. There is no longer an Authority. Private producers can now rent Sask Media facilities.

In 1984, a White Paper outlined optional types of television based communications for the province. It proposed the creation of an organization to be called the Saskatchewan Communications Advanced Network (SCAN), to carry a variety of new communications services to the public, including community television, cultural information, educational services and access to computer data bases. SCAN would be intended to complement traditional ways of communicating by making access to certain kinds of information easier through electronic networks. SCAN would carry public interest services only. It would not carry commercial services. It would take advantage of the new fibre optics network and lease channels from SaskTel. This is very typical of the Saskatchewan cooperative culture and experience. It was proposed in order to foster this by helping communities talk to each other, as well as to put the province actively and comprehensively into the business of software or program development in support of its hardware developments.

SCAN services would be delivered either via SaskTel's cable/broad band network (BBN) or via the provincial telephone system. The cable network reaches 52 communities, or about 60% of the population. Plans call for extending broadband services via satellite and low power television transmitters. Those individuals, groups or organizations wishing to transmit information to an audience could elect to distribute their material by: broadcasting, locally produced, purchased or live programs; selecting one way delivery of programs or encouraging audience interaction by organizing telephone conferencing; using videotex services for text and graphics. The capacity and flexibility of the new fibre optic technology of SaskTel made a wide variety of one-way and two-way communications possible.

Public hearings elicited 121 oral and written submissions. During the process the SCAN Public Hearing Committee developed a vision that went beyond the mere management of technical facilities for communications. They saw the need for a "complete system" that would provide for more than mere access to hardware. They came to the conclusion that the residents of Saskatchewan required a system which would promote and ensure articulation and cooperation among existing resources, facilities, organizations and agencies in the education, communications and cultural fields within the province; a sort of super educational/cultural Authority under which all provincial electronic communications would occur. However, this time it would be a distinctly provincial matter, done for provincial objectives, with no deference to federal jurisdiction. It is an independence worthy of Quebec, but, like that of British Columbia and other western provinces, based on the use of new technologies to meet economic, as well as cultural, social and political objectives.

Well over 80% of the briefs and oral presentations were supportive of the SCAN proposal. Many presenters saw benefits for education, as well as for culture, health, agriculture, local production, libraries, and the programs of various associations. About one-third of the submissions were from school boards, community colleges, universities, and other groups whose primary mandate is public education. In the majority of these it was suggested that an important application of SCAN would be to provide credit programming, training opportunities, professional development, and curriculum support. At the post-secondary level, benefits would be derived from the ability to deliver programming to small dispersed groups. Where an instructor cannot physically be present, for reasons of economics or distance, electronic technology is a good substitute. Benefits for the Kindergarten-Grade 12 educational system would derive from the access to more resources to enhance and supplement existing programs. This is especially important for rural schools where the full complement of resources and course offerings often are not available.

The same sort of idealism also permeated the hopes and expectations of other presenters. Some said that the increased visibility of the arts through distribution to larger audiences, and a new demand for film and television production, would create an ongoing need for artists, writers, and producers. Reference was made to the potential of the system to contribute to the creation of a deeper appreciation for the province's heritage and culture by encouraging the exchange of information about history, minorities, ethnic values, and a whole range of similar topics. Health care professionals said that SCAN could provide increased staff development opportunities, support the general health education system and help expand the scope and quality of services. Library groups agreed that the network could enhance and extend their services. Professional, volunteer and other associations stressed the benefits of membership training and development through improved access to information.

SCAN was viewed by the various organizations and groups which responded to the proposal as developing markets for high quality, locally produced material. Television was seen as the principal mode of delivery. Programs would be designed for specific audiences but they would need to be technically equal to programs on other channels in order to find and hold their audiences.

The proposal in the White Paper suggested that the full broadband services of SCAN would be available to 60% of the province's population. This was not acceptable. Respondents from both urban centres and remote locations favoured a system which would reach the entire province with all the services. Satellite distribution and low power transmitters were identified as a way of covering the remaining 40% of the province. SCAN centres, scattered about the province, ranging from sophisticated studios to a room with the minimum technical requirements, would be the means for local origination and information exchange. Finally, respondents emphasized that the costs to use these facilities must be kept low in order to ensure access.

All of this, the perceived needs, the analysis and suggestions regarding benefits to education and culture, the expectations regarding grass roots creativity, is familiar to anyone who has ever been involved in this kind of general research. The results are essentially wish-lists, idealistic and theoretical, based on minimum experience and without any cost-benefit analysis. While some of the respondents appear to recognize, at least in principle, the dangers of seeing new technologies as the primary answer to educational, cultural, and economic problems and challenges, few can withstand the lure. Perhaps, also, this sort of study is not the place to be realistic. Perhaps SCAN will make a difference and open up technology to multi-person creative use. Perhaps a "critical mass" of people, both as participants and as audiences, will use the proposed services. However, since successful use of television in any form reflects people, facilities, time, and money, it is wise not to be overly optimistic. A feasibility study now underway in Saskatchewan should help the government address both the economic and the social issues involved in the SCAN project.

No presenter attempted to estimate the cost of SCAN. Recommendations ranged from an entirely subsidized network (like the public roads system) to the establishment of a self-supporting operation. Whatever funding mechanism is decided upon, there was general agreement that the organization and structure of SCAN must be at "arm's length" from government. It should have autonomy resembling that of a university; be free from political influence; be adequately funded, and be accountable to the public through an Act of the Legislature. There should be a representative Board of Directors, regional Advisory Boards, and an effective administrative staff. In other words, an Authority, perhaps in the form of a Crown Corporation, not unlike that of other provinces. The programming would be produced in cooperation with educational organizations with SCAN being responsible for technical quality and each organization responsible for content. This is more similar to the situation in British Columbia with the Knowledge Network than it is to Ontario or Quebec. However, it is unique in that it will provide a whole range of services, not just education. In practical terms, this sort of arrangement will be difficult to establish and maintain. While television programs can be produced under virtually any circumstance, it is very difficult to produce high quality programs that people will want to see and use when the responsibilities for content and form are separate. It may work better for some of the non-television services.

In any event, the result of the public hearing process was a recommendation, in March, 1985, for the establishment of the Saskatchewan Communications Advanced Network (SCAN). The feasibility study is now underway. This is the practical phase and will include cost estimates, the development of pilot centres and projects, and lots of feedback and evaluation. Revisions will then be made to the overall plan and it will then be considered by the government. If it is implemented in a form at all reflective of the proposal SCAN will be a comprehensive public communications system, providing a variety of services to various specific groups.

None of this is designed to take the place of CBC services. The government wants the national public broadcaster to produce more and spend more in the region. It looks to the national network to provide more opportunities for Saskatchewan talent, to aid in regional development, and to reflect regional culture. It does not believe it has been getting its money's worth. In addition, the government does not feel that Saskatchewan is being reflected adequately or fairly by the CBC and that this is having an adverse affect on regional economic development.

Several experimental projects using television for education are underway currently in Saskatchewan. A project which began in the fall of 1984 involves the University of Regina in the delivery of credit courses to five centres in southern Saskatchewan. To do this the university uses the fibre optics network of SaskTel. Instruction is transmitted live from a classroom on the Regina campus to classrooms in Swift Current, Moose Jaw, Yorkton, Weyburn and Estevan. Each remote classroom has a telephone contact with the Regina location to enable an audio interaction between students and instructor. About 150 students are served each semester with 100 or so forming the off-campus group. This is the same kind of educational television that was popular on Ontario university campuses in the 1960s. It is the simplest sort of closed-circuit distribution of lectures. The university plans to expand this activity and, in cooperation with four community colleges, has entered into a five year agreement with SaskTel which will culminate in 1988 with a dedicated channel at the disposal of the university for about $150,000 per year. All capital and operating costs are paid for by the university. In 1985, the university signed a contract with the federal Department of Communications to evaluate this distance education project. In May, of 1985, the provincial Department of Advanced Education and Manpower established a pilot project to examine the use of computer assisted instruction as a means of adult upgrading. The project is being operated as a part of the Saskatchewan Skills Development Program in two sites, Saskatoon and Regina. Telehealth projects dealing with health education, health care delivery, administration, and consumer education are underway also.

This past fall, 1985, a joint proposal was developed by the federal Department of Communications, the Communications Policy Branch of Saskatchewan Justice, and Saskatchewan Culture and Recreation for a study to determine areas of potential economic development that would respond to identified opportunities and/or expressed needs, especially in rural areas of Saskatchewan. It will look at communications and culture in the context of regional economic development. Statistics, research, field trials and current services indicate considerable potential for economic development in information handling technology, systems and services that could be tapped to the benefit of the people of Saskatchewan. This study will look at markets and opportunities as well as resources and see what makes sense for Saskatchewan to go after. SCAN will play an important role because it will be, hopefully, an important stimulator and consumer of content. There is a certain amount of economic activity in several sectors of the media production industry; specifically, film, video, sound recording and publishing. While activity in this area is less mature by comparison to other parts of Canada, it is perceived by both industry and government to have strong potential.

Also during the summer and fall of 1985 the government of Saskatchewan has moved to encourage the extension of television services to people in small communities; those 700 or so communities receiving fewer than two English language television services. This provincial action comes in association with the recent study and recommendations of the CRTC Task Force on Access to Television in Underserved Communities. Basically, changes to provincial legislation, to SaskTel policy and to federal government policy have streamlined the task of establishing television systems in smaller communities. This has been endorsed by the CRTC. Minicipal governments, as well as private interests, are now permitted to hold television distribution licenses and thus to own their own television redistribution (rebroadcast or cable) systems. SaskTel has changed its policy which formerly required that it own and maintain all cable television systems in the province. Now systems not connected to SaskTel's fibre optic broadband network may be owned by interests other than SaskTel. They can pick up and redistribute satellite delivered services. While this applies only to small communities, allowing municipalities to own television systems is a compromise of the "arms length" policy which has been sacrosanct throughout the development of public/educational broadcasting at the provincial level.

Clearly, communications developments in Saskatchewan will require constant study. What is evolving is not "public broadcasting" in any traditional sense of the term, but "public communications" in a far broader and more comprehensive sense than almost anywhere else in Canada. This tends to be a pattern of development from Saskatchewan to British Columbia. However, Saskatchewan is technologically farthest advanced on the distribution side and places far more emphasis on public involvement than do the other western provinces. Because all of this development uses the new technologies jurisdiction is very much a question for the politicians or for the courts. Both levels of government would prefer compromise at the political level.

CHAPTER 9

ALBERTA

Alberta's role in public/educational broadcasting goes back to 1927 when Radio Station CKUA was licensed to the University of Alberta's Department of Extension as an educational station. In 1943, because it could no longer afford to operate the station on grants from the provincial government, the university applied to the federal regulatory agency, the CBC Board of Governors, for permission to obtain a commercial broadcasting licence. The application was granted but the conditions were such that the university rejected the commercial licence. It then had to appeal for assistance to the government of Alberta which provided it via an arrangement with the Department of Telephones. In 1944 the Department was authorized to purchase and operate the CKUA facilities, with the university retaining the licence and providing the programming for a certain number of hours each day.

The Alberta government applied to have the licence transferred to itself and to have a private commercial licence but this was rejected on the grounds that the original licence had been issued to CKUA for educational purposes. Attempts by the province to become directly involved in broadcasting were effectively ended in 1946 when the federal government stated that since broadcasting was the sole responsibility of the Dominion government, broadcasting licences would not be issued to other governments or to corporations owned by other governments. However, CKUA continued to be owned and operated by Alberta Government Telephones with the licence held by the University of Alberta.

This was challenged by the Canadian Radio-Television Commission, shortly after it was established by the Broadcasting Act of 1968. The

Commission stated that it would not renew CKUA's licence since AGT was an agency of the provincial government. In fact, the licence was renewed in 1970, but only until 1972 and with instructions that a new structure would have to be devised in order to comply with federal regulations.

A solution was found in the 1972 federal "Direction" to the CRTC. Provincial broadcasting could occur if provincial governments set up organizational structures deemed to be "independent" by the federal government. In December, 1972, an announcement was made that the Alberta government would set up an Alberta Educational Communications Corporation. CKUA's licence would be transferred from the university to the Corporation. In addition the Corporation would take over the assets of the Metropolitan Edmonton Educational Television Association (MEETA) and the assets of the Calgary and Regional Educational Television Association (CARET). Both these were pilot projects set up by the (previous) Social Credit provincial government.

The Alberta Department of Education was involved with educational television as early as 1956 when it began cooperating with the CBC in offering a half hour per day of programming to the schools. Following the commissioning of a number of studies and reports the Alberta Pilot Projects for Television in Education were established in June, 1966. These were coordinated by the Alberta Department of Education through its Audio Visual Services Branch. CARET was incorporated in 1967. Members were the Calgary Public and Separate School Boards, the University of Calgary, Mount Royal Junior College, three rural school jurisdictions, Southern Alberta Institute of Technology, and the Alberta Department of Education. Transmission facilities were engineered and supplied by Alberta Government Telephones. Four channels from the Instructional Television Fixed Services Band (ITFS), in the 2548-2686 MH_z range, were used to transmit programs to 25 Calgary locations, mostly elementary and junior high schools. 2500 MHz is "point-to-point" communications and, therefore, considered "closed-circuit" and not broadcasting. Programs were both produced and acquired.

MEETA was incorporated in 1967. Its members included the Edmonton Public and Separate School Boards, the University of Alberta, the rural jurisdictions of Strathcona, Leduc and Stony Plain, and the Alberta Department of Education. Backed by local experiments dating from 1958 and by a major study in 1968, MEETA applied for Canada's first ETV broadcasting licence in August, 1966. The application, for Channel 11, was based upon a desire to serve the whole of the community with "open-circuit" broadcasting. It, therefore, required federal approval. A compromise was reached in 1969 and a licence granted to the CBC to broadcast French language programs and a schedule of programs from MEETA. While waiting for the licence, MEETA produced, acquired, and distributed programs on video tape to 17 Edmonton schools.

Several smaller ETV pilot projects were also conducted during this period. COMET (County of Mountain Educational Television) went "on the air" in September, 1968, using one channel in the 2500 MH_z band to distribute programs to seven schools in the county and to gather information on the validity of educational broadcasting in a rural setting. SAETVA (Southern Alberta Educational Television Association) concentrated exclusively on videotape distribution to evaluate the advantages of allowing teachers to control the pacing and timing of their presentations. This led to improved classroom utilization and improved learning. With the recognition of the importance of videotape in the classroom, a library of educational programs, from elsewhere in Canada and abroad, was assembled and copies were made available on request to the schools. This "dubbing" service, which began in 1970, was the first such major service in Canada.

The Alberta Educational Communications Corporation was established as an independent statutory corporation with its own Board of Directors in 1973. Its purpose was "to provide a framework within which educational broadcasting and the production of educational programs and materials can take place." The Alberta Educational Communications Corporation Act was patterned after the one enacted in Ontario in 1970. However, it was different in one important respect. Whereas the Ontario Educational Communications Act created only one organization, the Alberta legislation created two; an "independent" corporation, the Alberta Educational Communications Corporation (ACCESS), and a provincial authority, the Alberta ~~Educational~~ Communucations Authority, through which the corporation would report to the government. The "independent" Corporation satisfied the federal legislation and the Authority was to exercise the province's responsibility for education. This turned out to be an unsatisfactory arrangement.

Following the enactment of the Act, the Ministers of Education and Advanced Education and Manpower, were designated as the Authority, with a Director and an Assistant to the Director as secretariate personnel. The Authority was later expanded with the addition of the Associate Minister of Telephones as Chairman. The major responsibility of the Authority was to identify educational needs and priorities which could be met by the activities of the corporation, ACCESS. The role of the Director was to administer matters related to the Act, serve as liaison between the Corporation and the various government departments in developing guidelines for program production and distribution, and to provide general administration for educational programs on cable television. The Authority was responsible for designating educational cable channels which were to be reserved in each licensed cable area. It also co-ordinated all matters having to do with communications in education at all levels. The Corporation consisted of 15 directors, one of whom was Chairman. These were appointed by the Lieutenant-Governor-in-Council who also appointed a President as chief executive officer. The Corporation did the work of operating the broadcasting undertakings as well as producing, acquiring and distributing all the educational programs and materials.

The relationship between the Authority and the Corporation was outlined in Section 6(1)(b) and Section 6(3) of the Act. "The Corporation may, subject to any directions made by the provincial authority, produce, acquire, sell, lease, distribute, exhibit or otherwise deal in programs and materials of an educational nature whether for use in broadcasting or otherwise." "The programs and materials transmitted through a broacasting undertaking of the Corporation are subject to supervision or assessment or both by the provincial authority."[1] The relationship, to say the least, was an uneasy one. There was tension and misunderstanding, especially between the secretariate of the Authority and the management of the Corporation. This was resolved in December, 1982, with the creation of a single organization similar to that of Ontario. The Board of Directors of the Corporation was designated as the provincial Authority. The Chairperson of the Corporation became Chairperson of the Authority. The Board is made up of four representatives from government departments and eleven members from a broad range of interest groups. They are appointed for a three year term. A President is appointed as chief executive officer. With this change came a new "ACCESS Project Decision Process", the first stage of which was more specific research to assess and prioritize learning needs. This was, and is, done in consultation with the various educational bodies, which are ACCESS' clients. The needs of the Department of Education come by a ministerial letter.

The Alberta Educational Communications Corporation, ACCESS Alberta, now known officially as ACCESS NETWORK, was established as an independent statutory corporation. It is funded by the provincial government and reports to the Alberta legislature through its Authority and the Minister of Ulitities and Telecommunications. ACCESS NETWORK is involved in the production, acquisition, distribution and delivery of educational communications in Alberta. Through its status as an "independent corporation" it is able to hold a broadcasting licence.

The first few years of the life of the Corporation, after its establishment in 1973, consisted of a process of consolidation and the development of programming services for both radio and television. It owned and operated radio station CKUA AM-FM but purchased air time on existing television stations for the placement of its television programs. It worked on establishing some consensus with the Authority.

In 1978 it accepted a set of revised guidelines written by the Program Policy Advisory Committee of the Authority. These stated that the principle role of ACCESS was to be complementary to the total educational enterprises within the province; that it was to provide services which would support education generally. These were to include: a) a programming service in various communications media; b) production facilities as these were required; and c) the making and acquiring of a variety of educational materials which would serve the educational needs and objectives of the four major educational sectors. These were: 1) Early Education, for preschool children and their parents; 2) Basic Education, for school children in grades 1-13; 3) Higher Education, offered by all formal post secondary institutions including universities, colleges, technical institutions, and vocational colleges; and 4) Further Education, for those beyond school age. This was, and is, the combined responsibility of the Further Education Branch, Advanced Education and Manpower, the school systems, post secondary institutions, departments of government, and other agencies. In general, programming has been a cooperative effort with government departments involved in education, as well as those with quasi-educational functions such as Culture, Agriculture, Consumer and Corporate Affairs, and the Solicitor-General's Department. Of course, post secondary institutions and the school systems were all involved.

These guidelines, or objectives, have remained quite constant. The purpose was, and is, the utilization of various means of communications for educational ends. The clientele is the 2.3 million

Albertans of all ages. ACCESS NETWORK's goal is to support the process of learning throughout Alberta in cooperation with the whole educational enterprise of the province, by offering Albertans educational choices responsive to their needs and interests, both formally and informally. Over ten years, ACCESS Network evolved from two production groups, one in Calgary and one in Edmonton, and a tape dubbing service, to a full range of educational communications services. These include the planning, production, acquisition and distribution of television and radio programs, print support materials, multi-media kits, and, lately, microcomputer software. Curriculum related materials, audio, video and print, are produced and distributed to support the formal learning of children and youth in the schools. Formal learning materials for adults, likewise, support institutional learning. In both cases, the informal materials directed to children/youth and adults are meant to support and stimulate the general process of learning, and to offer educational choices for people in their homes.

Increasingly, since the rationalization of the roles of Authority and Corporation in 1982, ACCESS Network has begun to take a more aggressive, leadership role in the use of communications technologies in education. In the light of developments, at TVOntario and elsewhere, a rather clearer distinction has been drawn between formal and informal learning and the major sectors or markets to be served, identified as children/youth and adult. In addition, more emphasis is being placed on "lifelong learning", most of which occurs outside the classroom. This translates into a greater emphasis on informal learning opportunities for people at home and, in turn, to more general interest or "popular" styles and formats of programs. This is an evolution which is common to almost every educational communications enterprise. It is a perception more closely linked to traditional broadcasting than to traditional education, but one from which education is benefitting. It is market, or audience, or learner oriented, as opposed to institution, or product, or teacher oriented. Markets may be relatively small and specific but programs must be used to be successful. This comes with the mandate to benefit all the citizens of the province. Since most of the citizens are not part of a captive audience, they have to be persuaded to listen to or watch the programs by the value, quality and style of the programs themselves. There is no learning, or education, if there is no audience. So programs, and learning systems, have to compete for people's attention and time.

ACCESS Network radio, CKUA AM-FM, originates in Edmonton, where the head office is located, and broadcasts province-wide through a single AM and 14 FM transmitters. The transmitters reach about 85% of the population and, as of January, 1985, the service is delivered via Anik C-3 satellite to the transmitters and to cable systems outside the transmitters' range. The program schedule consists of about 128 hours per week of three broad categories. 1) School Broadcasts have direct relevance to the grades 1-12 curricula. Subject areas include language arts and listening skills, science, social studies, music and guidance. 2) Educational programs not directly related to school curricula include programs for adult further education and for post-secondary students. There is a wide subject range, including arts, humanities, music, language instruction, sociology, issues in education, and current events. 3) General interest programs, likewise, cover a broad subject range which includes music, music appreciation, news and information, sports, stock market reports, community and educational information.

CKUA AM-FM has a very "public broadcasting" sound. About 6552 hours per year are broadcast from the Edmonton studios of which 416 hours are co-produced or acquired from outside sources. Only about 12% of the programming is formal education, broadcast in association with schools and universities. The service provides a unique mix of music, educational and cultural programming, and has become an accepted part of the mix of radio services in Alberta. However, in so doing it has not neglected its educational mandate.

The CKUA AM/FM service reflects formal learning needs through such programming as the Alberta school broadcasters and programs developed with various post-secondary institutions such as Athabasca University. In 1984/85 it produced 103 half-hour programs in conjunction with the University of Alberta and the University of Calgary. (This was over and above its regular production output.) As well as the curriculum-related materials for use in the schools, it provides on-air listener participation as part of the telecourses broadcast via television. This is expected to increase, for both formal and informal learning, because of the value for learning of an audio interactive capability in association with the television programs. It can be done using the main FM band when the program is such that a wider audience could be involved or on a side-band, using the same distribution system, when only a very specific audience is involved. Since 1978, CKUA has provided live daily broadcasting of Question Period from the Alberta Legislature.

ACCESS Network television has only quite recently become fully involved in television "broadcasting", meeting informal as well as formal learning needs. In January, 1985, it began a 12 hour-a-day, 84 hour-a-week service of educational, cultural, and informational programming delivered via Anik C-3 satellite to cable companies throughout the province. 85% of Alberta households have access to cable and 72%, or about 532,500 households subscribe. Television is now distributed to nearly 94% of these, or about 497,700 households. Some educational centres beyond the range of cable have satellite receive dishes. ACCESS Network negotiated with the cable systems in the province to gain priority carriage and has been successful with most of them. It has petitioned the CRTC to change the regulations to give the same priority status to a provincial educational authority using satellite to cable distribution as one using local or regional transmitters. This is an important, and sensible, request, although it makes the jurisdictional issue no clearer. The federal licensing of the satellite to cable television network was gained as an amendment to an existing television broadcasting network licence. This had been awarded earlier by the CRTC to allow the Corporation to distribute some of its programs electronically to the television stations broadcasting them.

Prior to this date television programs were broadcast on five private and five CBC television stations serving major markets in Alberta, as well as via educational cable consortia serving eight smaller markets. About two hours per day, five days per week, of morning time was purchased on the television stations primarily for the broadcasting of schools programs. Because of the cost, no evening time was regularly booked, although prime time was purchased occasionally for special programs and when some extra finances became available. The relative ease and economy of access to cable, and its growing penetration in urban areas, prompted the Corporation to look more and more in this direction for its television distribution.

ACCESS Network has had two television production centres, reflecting the historical connections to MEETA and CARET. One is in Edmonton, where the head office is located, and one is in Calgary. This is of less practical importance today than it was in 1973 because the new light, portable equipment allows production to take place anywhere. Indeed, a current objective is to originate from many more than just these two locations. When the new television service was launched in January, 1985, over 1,000 hours of programming was added to the inventory. Now, about 150 hours of television programming is produced each year and another 625 hours acquired. The acquired programs come from sources inside and outside the province, including TVOntario, the NFB and CBC, as well as international sources such as the BBC.

Since the full satellite channel has been available, ACCESS Network television provides a full schedule of schools programs, university and college courses, and general interest or "enrichment" programs for prime time enjoyment. There is both formal and informal education designed for children, youth, and adults. A variety of formats and styles are used; talk, magazine, documentary, drama, music. The schedule is heavy with information programs, but not much public affairs. There is no news or sports, and no movies. The schedule is designed so that the various programs have the best change of reaching the desired audiences, in school or at home. Full learning systems, involving print support materials are included for the formal, and as many as practical for the informal programs. Even for adults at home an interactive component is deemed to be desirable.

In a very short period of time, the television service has established itself as c ompetitive viewing choice in the province. Within a couple of months, its weekly reach was nearly 25%, comparable to that of other educational services.

To complement its television broadcasting service, and its radio network, ACCESS acted in the past, and ACCESS Network acts today, as a purchasing agent and distributor for the formal education sectors. The Media Resource Centre, located in Calgary, stores, duplicates, and distributes to schools and other institutions, audio and videotapes, multimedia kits, teachers guides and a variety of printed material. About 80,000 duplications of audio and video are made each year. For the price of the blank tape, Alberta schools and colleges can receive copies of any of the approximately 4,000 video or 2,500 audio titles available from the Centre. Like TVOntario, ACCESS Network clears the rights for everything it produces and as amny acquisitions as possible for tape duplication and distribution. More than 60 different printed guides are available also to assist teachers in using the programs. In addition, Field Service Officers and Media Consultants are located in regional offices to provide advice and assistance to teachers. To further enchance the liaison with educational media groups throughout the province the Corporation was restructured and established on Educational Technology division. Because the people in this division work so closely with teachers in using the various learning materials, their feedback is very important in evaluating the success of the material and in making decisions about new productions. Like the other educational communications agencies, ACCESS emphasizes both formative and summative research.

Recently, the Media Resource Centre added a computer program diskette duplication service to meet the growing demand for educational software in the schools. This service carries a fee based on cost-recovery. In 1984/85, the first full year of providing this service, 11,500 diskettes, with corresponding print material, were duplicated and distributed.

ACCESS Network is not only in the business of distributing computer software, but in acquiring it as well. The Corporation sees itself as a comprehensive communications services agency involved in all forms of new technologies which can be used to meet educational objectives in the province. It sees itself as a leader and an innovator in this field. In order to help meet the growing need of Alberta teachers for computer courseware, ACCESS Network established the Instructional Technology Unit. Working with other divisions, the ITU has developed computer literacy projects through the acquisition, production, and distribution of videotapes, self-study packages, multimedia kits, and television broadcasts, as well as through the establishment of a resource centre for educators and trainees. Workshops and work-study programs are available for teachers and students. As well as the acquisition of courseware and the development of computer literacy, the unit is actively involved in experimentation with new communications technology such as the video disc which, in association with the micro computer, offers possibilities for interactive television based education. Several programs using this technology have been produced and are being evaluated.

Since 1981, ACCESS Network has looked to the use of satellites as a distribution method for its various educational communications services. It is now looking to replace much of its traditional land-based dubbing and distribution with electronic distribution and remote dubbing via satellite. It believes that this will provide a cost effective means of getting audio, video, data/text/graphic materials throughout the province. It is interesting historically to note that the first chairman of the Ontario Educational Communications Authority made a similar argument in 1970 for the use of broadcast transmitters. In this case traditional means of broadcasting was used during the day to distribute video tapes to the schools of Ontario. Satellites provide an even more cost-effective way of doing this.

In 1981/82, in cooperation with the federal Department of Communications, and using a 14/12 GH$_z$ channel on the Anik B satellite, ACCESS Network experimented for six months with an interactive television service involving the cable companies in seven major locations throughout the province. This was named "Project Outreach". Six hours of television programs were broadcast between 6 p.m. and 9 p.m. on Mondays and Wednesdays. A toll-free telephone number was provided to enable members of the audience to ask questions or comment on the programs. Eight of the sixteen series scheduled during this period were of a gneral interest nature. The other eight were more formal credit and non-credit courses offered in association with colleges and universities. Students taking these courses could telephone in questions to the various instructors. Generally the evaluation results were positive and encouraged ACCESS Network to proceed with a full fledged satellite delivered multi-media service.

The full satellite-delivered radio and television service which began in January, 1985, uses an Anik C 14/12 GH$_z$ channel. The uplink is in Edmonton and the Anik C "footprint" covers all of Alberta. It provides for one-way service of radio to the various transmitters., and television to the cable companies, individual centres and households. As described earlier, using radio and telephones with television provides for interactive capabilities in programming. The satellite channel can provide for various additional types of services. Within the allocated bandwidth there can be included a teletext service in the vertical blanking interval of the television picture, slow-scan TV, facsimile, computer programs, and other data services. Since 1981, experiments have been conducted with Subsidiary Communications Multiplex Operation (SCMO), a closed-circuit radio system which uses a piece of the frequency and allows two way communication. SCMO permits narrowcasting to meet the needs of smaller groups. "Books" for the blind and in-service information for professions such as law and medicine are among possible services. Slow-scan television can be used to distribute still pictures or, in the case of medical use, to send x-rays from a remote hospital to an urban centre. The early experimental services were limited to the signal coverage area of the FM transmitters, but now, with the use of Anik C, they can cover the whole province.

In general then satellites are seen as the major means of electronic communications for a range of educational/instructional services in radio and television, as well as data/textual/graphic information services, and remote dubbing of audio/video data/textual/graphic information including computer software. Teleconferencing is being considered. All of this is to provide learning opportunities in the most effective way, using the most appropriate technology, to all the people of the province. ACCESS NETWORK will continue to experiment with all appropriate communications technologies to this end, including non-satellite ones such as the laser video-disc. Its corporate goal is to systematically explore the educational applications of emerging communications technologies, the emerging research regarding the design and use of educational media, and the dimensions of the changing needs of learners. This is done in cooperation with and in the service of the whole educational enterprise in the province.

The current annual revenues of the ACCESS NETWORK total slightly less than $20 million. Almost all of this comes from the provincial government. The Corporation has had limited success in acquiring funding from other areas, including co-productions, the marketing of programs, and the establishment of self-supporting services. Plans call for more work in this area. The Board of Directors approved the establishment of the ACCESS Charitable Foundation of Alberta. Pending ratification by the provincial government, it will encourage private sector donations to programming. In addition, direct contributions from viewers is being considered. As with all the provincial communications agencies, government grants have not kept pace with ongoing costs, let alone new initiatives. Additional revenues need to be sought from a variety of sources. Much more private sector involvement can be expected in Alberta, as in the other provinces.

This will be especially important if ACCESS Network is to play its emerging role in furthering economic, social, cultural, as well as educational, development in the province. Although about half the Corporation's expenditures now go towards the purchase of goods and services in the private sector, the ACCESS Network would like to extend this in order to enhance the talents and abilities of people in the cultural and communications industries. As in other provinces, a recognition of the importance of these industries is growing in Alberta. New joint initiatives between ACCESS Network and the private sector will result in a growing software production expertise in Alberta. Now that the Broadcast Fund has been extended to include educational broadcasters, some of these initiatives will involve Telefilm Canada funding. Collaboration with cultural institutions such as the Banff Centre will benefit both public agencies. With a radio and a television network covering the entire province, ACCESS Network is well placed to play an important role in furthering provincial aspirations. All it needs is the necessary resources.

The future for ACCESS Network radio and television looks promising, in terms of both programming and the development and use of new technologies. Now with a full television service there will be an effort to improve and increase the quality and quantity of regional production.

While certainly not neglecting in any way the needs of the province for formal education, there will be more opportunity for productions emphasizing informal learning. Many of these will be done in co-operation with the independent production industry. They will encourage and provide exposure for Alberta talent from various parts in the province. This emphasis will serve to bring more of a "public broadcasting" balance into what has been a rather traditional "educational" television service. In this sense, television will move a step or two closer to the radio service.

All programming will continue to be based on research to assess the overall learning needs of the province and will be done in co-operation with the groups, institutions and departments that make up the education sector. As with the other provincial broadcasters, ACCESS Network does not see educational or learning objectives as a hindrance in the development of successful programming. Rather, the Corporation sees the educational mandate as providing a distinguishing feature to the public broadcasting services, a feature which make it "distinctly different" from other television and radio services.

Plans for the future include: the continuation of research, development, and assessment, in the use of satellite technology for the distribution of video, audio and data software; further research into the application of the Subsidiary Communications Multiplex Operation (SCMO) to reach small, specific markets and other effective uses of satellite channel bandwidth; research and development into the use of laser videodiscs and computers; the development of more interactive learning systems; the extension of present radio and television services, including the production of more and better formal and informal learning opportunities and the use of satellite off-peak time to deliver program material for local recording and storage, as well as the further development of new services such as the transmission of computer software to schools; increasing the availability of reception, particularly in northern Alberta, by encouraging the use of satellite receiving dishes and rebroadcasting outlets and increasing the possibility of remote origination in support of post-secondary institutions, government departments, and ethno-cultural groups; a general overall closer working relationship with the private sector in the development of industrial and commercial applications of both software andhardware innovation; facilitating and encouraging the establishment of a common resource of data-based information which would be available to selected users and/or the general public on request as technology permits; the evaluation of learning materials, not only for the use of the Corporation, but also for other interested parties including those in the private sector where the application is for learning purposes.

In general, ACCESS Network sees itself as a multi-purpose, multifaceted educational communications agency playing a pivotal role in the interface between education and culture and the effective use of all the new communications technologies at the provincial level. Its vision may exceed its grasp, not to mention its current and potential revenues, but it is a vision worthy of support, by both levels of government and by the private sector. The electronic delivery of information and entertainment cannot any longer be ignored by any province. Every province or region, but especially the smaller ones, need a publicly funded agency to lead the way in applications and to coordinate and communicate what is going on. An educational mandate is perfectly compatible with doing this. Learning how to use the technology and to produce effective software for it benefits all those in the origination business, private and public. Individual learners, throughout the province, find educational benefit in the content of the material as well as in learning how to use the various media to maximum advantage. No programming need be excluded, either in terms of content or format. Cultural, social, political, economic, as well as educational objectives can be pursued.

CHAPTER 10

BRITISH COLUMBIA

The Department of Education, in British Columbia, through its audio-visual branch, cooperated with the CBC in producing radio and then television school broadcasts. About half the materials used in the British Columbia schools were produced locally, as well as on a wider western regional basis in cooperation with Alberta, Saskatchewan and Manitoba. About half were part of the CBC's national production activities. During the 1960s, while waiting for a resolution of the federal-provincial impasse over educational broadcasting facilities in the provinces, British Columbia took a very pragmatic view that the immediate educational needs at the local and regional level would dictate the means of transmission used. This kind of regional independence and flexibility continues to the present day.

The early period saw relatively minimal and rather traditional use of television in education. The Vancouver School District embarked upon several experiments using television in science laboratories and video tape machines in classrooms. Likewise, Simon Fraser University and the University of British Columbia used closed-circuit television primarily for science and medicine courses.

In 1976, with Alberta, Ontario, and Quebec actively involved in educational broadcasting, the Ministry of Education initiated three feasibility studies to see how the province could use educational television to better serve the educational needs of a dispersed population in a mountainous province. A common conclusion in each of the studies was the need to provide more educational programs to adults in their home communities. The educational plant in British Columbia was, and is, situated in the south-west corner of the province. The regions are underserved. To address this need the provincial government advanced a plan for the development of an open learning enterprise in the province. In 1977, it created the Open Learning Institute to develop and deliver courses of study; the Interior Universities Programs Committee to assist in coordinating the work of the provinces' three universities; and the B.C. Union Catalogue Library. (This was followed, in 1980, with the establishment of the Knowledge Network, and in 1984 with the formation of the Open University Consortium.)

At first blush, certainly using traditional methods of transmission, the technical and economic hurdles to overcome reaching the pockets of population scattered throughout the province seemed too great to overcome. However, two notable tests, using the Hermes experimental satellite in 1977/78, showed that distribution by satellite was indeed both technically and economically feasible. They also showed the educational effectiveness of this kind of delivery system. These projects and their findings helped to initiate the process which led to the establishment of the Knowledge Network.

The Knowledge Network of the West Communications Authority was established in May, 1980, by a Cabinet Minute under the Societies Act of British Columbia. It was incorporated as a non-profit society. There was no legislation to incorporate it or to outline its function. There was no reference made to the federal government or to the CRTC, although the Authority designation was used, to ensure cable carriage and to protect against contingencies. There was not, nor is there, any licence requested or granted by any federal agency. The Authority and the Network was completely a provincial initiative. The motivating rationale was stated by the Minister of Universities, Science and Communications: "With increasing demand for distance education programs, it is vital that our institutions coordinate their offerings. The Knowledge Network will be able to perform the coordinating function in an objective manner."[1]

The Knowledge Network is the public television service of the Knowledge Network of the West Communications Authority, and is governed by the Authority's Board of Directors. Until 1985, the Chairman of the

Board was also the President and Chief Executive Officer of the Network. There is now a separate President and C.E.O. Members of the Board are drawn from the ranks of government officials, educational institutions and the private sector. All programs and services require Board approval. The Board makes its decisions based on advice from Learning Systems Working Groups comprised of representatives of the various formal educational constituencies, as well as the advice of Network staff. The Authority is accountable to the provincial government through the Minister of Universities, Science and Communications. Funding comes from this Ministry and the Ministry of Education.

The role of the Knowledge Network was, and is, to work closely with the educational system to ensure that every British Columbian has access to quality educational programming. It is part of the institutional or formal education system of the province and everything it does must be complementary to the rest of the system. The three primary purposes identified as the mandate of the Network are: 1) to establish, maintain, and operate a telecommunications network for the educational institutions; 2) to cooperate and collaborate with the educational institutions (universities, colleges, provincial institutions, school districts, ministries and agencies of the Province) in the delivery of educational opportunities; and 3) to foster, stimulate and participate in the development of high quality learning systems.

Essentially, the programming mandate for the Network is vested in the institutions. All programs, with the exception of family and childrens, must be sponsored (i.e., developed and supported) by an educational institution and/or government ministry of an authorized agency (e.g., B.C. Cancer Society). The Network's role is to advise and assist in the production and utilization of programs and support materials. Of late, there is some attempt to become involved, more independently, in the acquisition and production especially of informal education programs. This is proving to be difficult because the mandate of the funding ministries is for formal education and financing is hard to come by for more public or general programming. Corporate underwriting is seen as one way of helping to finance this informal education and the Network is taking some discreet steps in this direction. However, in the main, the educational institutions are responsible for the educational content and process of the courses they offer. Because the Network is not an educational institution, the determination of its programming must be made in cooperation with those that are.

The Knowledge Network involves the various educational institutions at three decision making levels. The first is at the policy level, which involves the setting of goals or objectives for the Network as a whole. The second is in the development of a strategic plan to achieve the objectives. The third is in the translation of the strategic plan into an operational plan. This involves programming and production decisions. The various institutions must decide on their level of involvement at each decision level, and then decide on their commitment to, and involvement in,the actual programming of the Network.

The Network's own organizational structure has been developed to facilitate communication and cooperation at these various decision-making levels, and to assist in the design, development, production or acquisition, scheduling and use of various kinds of learning systems. This structure is currently under review and may change somewhat to reflect some new types of services and a slightly more independent role. However, three main divisions have reflected the three main functions of the Network. These are Network Services, Learning Systems, and Business/Finance.

Network Services is responsible for the establishment, maintenance and operations of the Knowledge Network's telecommunications delivery system. This includes several "closed-circuit" channels for specialized and professional programming as well as an "open-circuit" channel to deliver educational programs to audiences in their homes and in educational institutions throughout the province. Cable is the means of delivery, with the Anik C-3 satellite used to extend the range of the service. Network Services assists the various participating institutions in program preparation and presentation in order to improve the quality of programs and thereby the quality of learning. Finally, this division is responsible for promotion activities on behalf of the Network as well as government and industry liaison in order to keep the Network in the forefront of new issues, policies and technologies.

Learning Systems is the term used to describe the gathering together of resources and putting them together in such a way as to promote and facilitate learning. This section is responsible for coordinating the design, development, and use of programs and support materials produced or acquired by the participating educational organizations. The staff then schedules the programs on the network in a way that is most responsive to the needs of the viewers and the educational institutions. Staff members have expertise in instructional design as well as in the production of television programs. They provide assistance to the production groups from the participating institutions, more or less, depending on the local expertise. One important emphasis has been the further involvement of educational institutions especially in the preparation of programs for specific audiences. The Learning Systems Working Groups, composed of educators and Network staff, have concentrated on increasing the involvement of educational institutions, initiating on air scheduling policies, assisting the development of on-camera instructors and helping to establish Learning Centres throughout the province. Further, the staff has been active in helping teachers to use the learning materials most effectively in various situations throughout the province, as well as advising on such issues as student registration for telecourses and examinations for credit courses.

There is certainly plenty of room for expansion and independence in the activities of both the Network Services and Learning Systems divisions. Cooperation, assistance and coordination will undoubtedly remain the key strategies. But more opportunity for independent activity in both the production and acquisition of formal and informal type programs and systems can be expected, and should be encouraged, as the Network develops. Corporate underwriting will keep this evolution, as will entrepreneurial ventures with the private sector in the province, and any Canada-wide cooperative venture leading to a nationally available educational service.

Business/Finance is responsible for the development and provision of finance, accounting and other administrative and support services for the whole organization. It deals with personnel, contracts, space and facilities, as well as strategies for financial growth. The work of this section will be expected to expand as the Knowledge Network develops corporate underwriting as a means of supporting its informal or general educational programs.

The Knowledge Network has developed and maintains two kinds of delivery systems: one for the general public, and one for closed-circuit use. With the completion in 1983 of a closed-circuit dedicated cable plant in Vancouver and Victoria, the Network operates and maintains a multi-channel cable and microwave facility that connects the universities, teaching hospitals, and law courts, and can be used for inter-institutional medical diagnoses, viewing of complex operations, closed-circuit teaching, visual lectures such as paramedic training, legal and academic dissertations, research and data transmission. This private one-way and two-way service has been extended, via the use of satellite, into the interior and northern areas of the province. It brings the expertise of the south to all parts of the province and results in saving both human and financial resources by substituting electronic communications for transportation.

The public service has been operating since January, 1981, using a satellite to cable system to deliver programming to households, institutions and community centres throughout the province. Over two hundred communities now receive the service. The Network telecasts about 14 hours per day, 7 days per week, over 5000 hours per year. Programming begins at 9 a.m. and ends around 11 p.m. Like most of the other open circuit provincial television networks in the country, the programs are scheduled so as to have the best chance of reaching the various specific audiences. Preschool and schools programs fill most of each morning. Afternoon hours include adult telecourses and more children's programs. During the week, most evenings up to about 8 p.m. are devoted to telecourses, with more general educational series after 8 p.m. and on weekend eveings. All the series, but the telecourses especially, tend to be repeated at a variety of different times in order to facilitate viewing.

The Network, even in its more informal programming, is very serious in its intent, instructional in its orientation. Except for children's programs, there is very little frivolity or what could be called entertainment. There is hardly any drama or music; no movies, news, or sports. Reflecting its formal, institutional partnerships, its nature as a "telecommunications" rather than a "broadcasting" service, and, perhaps, its relative newness, it is more conservative in its application of television production techniques to education than any of the other three provinces with dedicated communications systems. This can be expected to change a little in the next while as the Knowledge Network pursues current objectives to improve the quality of its service, to develop more programs for children and families, and to take the initiative in developing the use of the Network for general education and personal development. Even though this will probably be done in association with an educational institution or agency, it offers the best opportunity for innovative activity. However, the province does not perceive the Knowledge Network to be a public broadcasting service, in the traditional sense of

PBS, the BBC, or the CBC.

Currently, there are basically two classes of programming that make up the public part of the educational service. These are referred to as telecourses and teleseries. Telecourses are learning systems which include television programs, texts, and study guides prepared by educational institutions often in association with Network staff. The institutions are responsible for producing and using the telecourses as well as for all registration, and accreditation. Enrollment has increased steadily since 1981 to over 10,000. Registrants receive the telecourse programs over the Knowledge Network but learning centres at particular institutions may also have the programs available on video tape so the students can see them at their own time, and take advantage of other support services. The teleseries are also considered as formal systems. They are centred around a certain theme and may be supported by viewer's guides and other materials. They are, of course, less formal than the telecourses and at the one end of the scale can be relatively informal.

Both telecourses and teleseries may be produced locally or acquired from other national educational services such as TVOntario or from international organizations such as the British Open University. From its beginning, the Knowledge Network has had close ties with this latter institution. All home viewers can see both these classes of programming, but only those who register with the various institutions for a telecourse are given the telecourse support materials. A feature of both types of programming, accessible to all viewers, is the interactive component of some of the programs. Viewers may dial in through the telephone system to participate in those programs, or parts of programs, that are broadcast live.

Growing public involvement in both telecourses and teleseries, as active participants as well as more passive viewers, has been matched by an increase in the number of institutions sponsoring and supporting courses. All the provinces, colleges, universities and institutes are now involved, as well as an increasing number of government ministries and associations. At the community level, participation has been expanded by the steady growth of learning centres. Now operating in over 70 locations, these centres offer local residents a variety of services relating to Network courses. There are now 17,000 course registrants at the Open Learning Institute, 3,200 credit course registrants through the Open University Consortium, and over 450,000 people who watch Knowledge Network programming each week.

The annual revenues for the Knowledge Network are now about $3.5 million, almost all coming from the provincial government. Independent fund raising activities are being developed, as are other entrepreneurial activities in association with the private sector. It was clear even in 1980 that there is a significant growth potential in the combined fields of communications and education. Similar to ACCESS Network for Alberta, an important objective of the Knowledge Network is to contribute to the development of new economic opportunities for British Columbians. In order to participate in a variety of entrepreneurial ventures a wholly owned subsidiary, Knowledge-West Communications Corporation, was created. It is empowered to enter into partnerships, joint-ventures or other corporate relationships which help to further the objectives of the Network. One example of this is Knowledge-West Partnership. This was formed in 1982 between the Knowledge Network and Premier Cablesystems Ltd., for the purposes of constructing and owning the multichannel, closed-circuit dedicated cable plant in Vancouver and Victoria. New partnerships and associations are in the works for the development and production of software.

British Columbia, like all the provinces, wants to encourage and facilitate the development of an independent production industry in order to meet regional cultural, social and political, as well as economic objectives. As the third largest television production centre in Canada, after Toronto and Montreal, Vancouver offers a diverse and sophisticated array of talent and facilities. The Knowledge Network can be expected to play an increasingly important role in support of this regional enterprise. Because the Network does not have a large staff or any production facility, it is ideally placed to play the same sort of catalytic role with the production and cultural industry in the province as it has with the education industry.

CHAPTER 11

CONCLUSION

Every province in Canada is now involved, more or less, in what may be called public broadcasting, or public communications, activities. The emphasis is on television, as well as radio, production, distribution and utilization. Other communications technologies are being used also. The provinces see this activity as important for their own cultural, social, political and economic development. More specifically, the corporations and authorities established by the provinces to provide public communications services share a common goal or mandate; to provide educational opportunities, using electronic and other means, to their various publics or markets. Public broadcasting, or communications, at the provincial level is distinctly educational. Neither the provinces, nor their communications corporations and authorities feel in any way constrained or circumscribed by this educational mandate. Federal communications policy needs to recognize this, understand the distinctiveness, and support the various and varied regional interests and activities.

One of the phenomena of modern electronic communications is the creation of a so-called "global village". What this has turned out to be, of course, is a distinctly American village. Nowhere is this more obvious than in Canada. Every committee and commission to study broadcasting in Canada has recognized the dangers to the cultural, social, political and economic fabric of Canada of uncontrolled radio and television services emanating from the United States. National public broadcasting was established in Canada in large measure as a response to this threat. The need for public broadcasting has increased over time as the number of foreign television services has increased. Because of our geographical location, and own history, we cannot arbitrarily limit the amount of foreign programming coming into the country. Our only recourse is to compete with it. Every source of talent, facilities and money needs to be tapped for this competition. Provincial governments are increasingly important sources.

It has been said that the industries of culture are the industries of the future; that to invest in culture is to invest in the economy. Cultural activities in conjunction with the new electronic hardware evolve quickly into cultural industries with many economic and industrial dimensions, nationally, regionally, and locally. Clearly, education and the education industry is an integral part of the cultural industries. Communications, culture, education are inextricably bound together and interconnected with economics and politics. New technologies have created new circumstances. Broadcasting has evolved into what may be more accurately called communications or telecommunications. The provinces have important and legitimate roles to play in this new communications environment. Federal communications policies should help to facilitate and coordinate these roles.

For some time, most of the provinces have seen electronic communications as integral to "province building". Quebec has always seen the connection between communications and culture. Ontario, specifically Toronto, being at the hub of production and distribution for English speaking Canada, has sometimes taken it all for granted. The western provinces very clearly see the importance of communications for regional economic development. Almost all the provinces want to share with the federal government some degree of control over what is still described as broadcasting and resides within federal jurisdiction. None want the federal government to be able to make unilateral decisions which may commit provincial governments to funding activities they may not want nor can afford.

The development of new communications technologies has tended to support provincial aspirations in this regard. Policies and laws have become unclear, if not invalid. The very concept of broadcasting has changed since the 1968 Act, now with even the traditional programming services which use transmitters reaching the majority of their audiences via cable and a whole variety of programming and so-called non-programming services not using transmitters at all. At least since the Clyne Committee, we have recognized that the concept of broadcasting, i.e., the use of a transmitter, is outdated, and that it is only the use of a receiving entenna that subjects cable to regulation under the Broadcasting Act. Provinces have seen the evolution from broadcasting to what has been called "closed circuit" distribution as a means of getting a piece of the jurisdictional action. Federal authorities have resisted for fear of losing effective control over the system. Among other things, Bill C20 is an attempt to bring the concept up to date and re-assert federal control. If passed in its original form it could generate more provincial opposition and legal challenges.

Since there are legitimate areas of concern and interest at the provincial level, since the issues are not all that clear and are not likely to go away, since general federal-provincial relations appear to be relatively positive, now may be a good time to affect a compromise. It is in the area of educational communications where this could most conveniently be done. Public education is distinctly a provincial matter and should remain so, regardless of the means of communications used. The definition of what is educational, the regulation or supervision of public educational communications services and, where necessary, the licensing of these, could be made a provincial responsibility. Federal authorities could support the provincial corporations and authorities in gaining cooperation from carrier services which remain under federal jurisdiction. Technical, or spectrum regulation, should remain a federal responsibility.

Provincial educational communications authorities and "arms-length" corporations were established in the early 1970s to allow the federal regulator, the CRTC, to licence provincial broadcasting, i.e., to licence the use of a transmitter by these provincial agencies. The federal Directions to the CRTC, 1970-496 and 1972-1569, were not detailed and, even at the time, for good reason, not especially clear. The definition of educational programming was broad. The roles of the authorities and the CRTC in evaluating performance against the definition were unclear. Whether a provincial authority has the responsibility for all educational communications in a province, just that which uses a transmitter for this purpose, or just that produced and acquired by the provincial corporation, was not firmly established. The notion of "arms-length" differed, indeed still differs, from province to province. Some authorities consisted of government ministers, others of "independent" appointees.

The structure was based on a public broadcasting model adapted to the reality of federal-provincial jurisdictions. Essentially, it was the use of a transmitter and a frequency, combined with the perceived dangers of government control, which made it all necessary. Educational radio and television programs have been produced and distributed before and since using other people's transmitters, "closed-circuit" transmission, or no electronic transmission at all with no reference to federal or provincial authorities. While there was, and is, the belief in some provinces, and the reality in Quebec, that authorities should supervise all educational telecommunications production and distribution which uses public money, this has not happened generally. Universities and colleges, for example, still act independently in most provinces. Coordination and cooperation are the operative words, not regulation or supervision. This is an appropriate and important role, especially in a period of rapid technological change when, increasingly, education and educational communications is seen to be a private sector, as well as public sector, activity.

Another, quite practical role for a provincial authority has been to acquire priority carriage on cable for the provincial educational broadcasting system. Priority carriage has applied, in principle, only to those systems which use transmitters. However, authorities in provinces such as Alberta, while negotiating with cable systems in the province, have petitioned the CRTC to have this apply also to programming distributed via satellite to cable. This is eminently sensible and should be supported by the Commission. By designating "any person who transmits or distributes by means of telecommunications, otherwise solely as a common carrier, (or) any programming received by radio communication" as a broadcasting undertaking, Bill C-20 should pave the way for the CRTC in this regard.

Some provincial authorities are interested in extending their control of cable carriage and their overall responsibility for educational communications within their provinces. One has petitioned the CRTC for the right to decide whether any other educational communications service, originating from outside the province, should be allowed cable carriage and the right to stop the signal from its service to be carried by cable outside its province. The second request goes to the very heart of the cable distribution business and probably must be addressed generally before it can be addressed specifically. The first request goes to the heart of the broadcasting business. Most programming services would like to limit competition. All would have very good reasons to do so. In general, with new technologies, this has been found to be impractical. Support for Canadian services, in order to make them competitive, is the generally accepted alternative. What is true for the system as a whole is true also for the educational services. The provinces should recognize this and fund them accordingly.

"Arms-length" varies from province to province and from time to time. Ultimately, given that the majority of funding comes from the provincial government, the reality of programming freedom which is always given as the reason for such structures depends more on the quality of the arms than their length. Where quality is needed most is when education, and not merely instruction, is being attempted, especially when it is being attempted in cultural, social or political subject areas. Education can be a radical activity. No government is particularly fond of this sort of thing. The federal government at least has had years of experience in dealing with program activity of this nature by the CBC and the National Film Board. Provincial government, by and large, have not had such experience. However, the system can and does work, at least in some provinces.

A case in point, where high quality arms, which were also at length, resisted direct government interference and paid for it financially, was that of the TVOntario series The Jesus Trial in the late 1970s. This series used a drama-documentary format to tackle the issue of intolerance. It focused on a courtroom confrontation on the question of who killed Jesus Christ. Pressure from several powerful religious spokesmen not to broadcast the series was first brought directly to the TVOntario Board. When this was not successful it was taken to the Minister of Culture and Recreation through whom the Authority reported to the provincial legislature. The Minister asked the Board not to broadcast the series. The Board refused his request and the series was broadcast on the regularly scheduled date. Although government representatives, in later years, were to admit that the Board was right and the government was wrong, this show of integrity and independence cost TVOntario over one million dollars in grants the following year.

This sort of long term influence through financing is a reality for all public broadcasting. When budgets are small, as they are for all provincial organizations, it can be especially effective. While one might like to suggest a structure which would guarantee absolute programming freedom from government interference in all cases, this is probably not practical and perhaps not even necessary. The Lieutenant-Governor-In-Council in each province appoints the Boards, so the provinces already determine the integrity. With the exception of Radio-Quebec and TVOntario, little controversial programming is done. There is no longer a scarcity of broadcasting frequencies. If one objective of the future federal communications policy is to give provincial governments and communications corporations more independence from federal authority and regulation, and this paper suggests that it should be, then the nature of the relationship between the communications corporation, the authority, and the government should be decided upon by each province.

Trying to define education is like trying to define culture; interesting but never-ending. The same is true of educational programming for television or radio. In truth, any program can be "educational", i.e., used for an educational purpose. The objective and use is what is important. This is, of course, recognized in the 1969 definition when it says, "programming designed to be presented in such a context as to provide a continuity of learning opportunity aimed at the acquisition or improvement of knowledge or the enlargement of understanding." The word context is the key. This is why learning systems were developed, first by TVOntario and then by the other authorities. This was not just a clever way of getting around the definition in order to present popular programming and become a more traditional public broadcaster. Rather, it was a recognition of the nature of education and the nature of television broadcasting. If a television program is used to attract the attention of a prospective learner, to raise questions, to stimulate interest in a subject, the "continuity of learning" is provided by the whole system, usually consisting of print and/or other materials. The initiator of the educational process, the television program, can be a feature film, an episode from a dramatic series, a documentary, indeed, a comedy or variety show, anything. The only limitation is the imagination and skill of the creator of the system, i.e., the educator. This is why none of the provincial communications systems perceive their educational mandates to be in any way limiting. It is, in every way, good public broadcasting; with one difference. The programs introduce viewers to a continuity of learning opportunity in a way and to an extent not offered by any other broadcaster, public or private. The role of the provinces in public broadcasting has been, is currently, and should continue to be, to use radio, television, and associated media in the most creative and professional ways possible to bring educational opportunities to all the people.

The Clyne Committee urged that "the fiction about educational programming be abandoned" because the definition was so broad that TVOntario and Radio-Quebec could fill most of their evening hours "with entertainment of a very general nature." What the Committee might better have said was that the federal-provincial definition should be abandoned, for educational programming, then as now, was no fiction. It is reality which is believed in passionately and pursued diligently by the various provincial communications organizations. They do not feel contrained or circumstribed in any way by the need to be educational. No federal agency, or indeed the government itself, is in any position, jurisdictionally or intellectually, to decide what is education and what is not. In any event, why bother. Let the provinces do it. Give them free access to electronic communications, of whatever mode or format, and leave them to it.

The Clyne Committee saw communications as one of the fundamental elements of sovereignty for all the people of Canada and the federal government as representing and defining that sovereignty. So the Committee came down strongly on the side of federal jurisdiction. But it is quite clearly not an either/or situation. Because the provinces are given some freedom and opportunity to use electronic communications to develop and express their regional education and culture, indeed to express regional sovereignties, does not mean necessarily that national sovereignty or culture is diminished. In fact, the opposite is more likely. A strengthening of the regions can strengthen the whole, given that national energies and resources are not diminished. Certainly, if there is a threat to national cultural, political or economic sovereignty, it does not come from the provinces. It comes from outside. If we do not hang together we may indeed hang separately. Communications policy should look to strengthen and extend all forms of Canadian cultural, political, social and economic expression. One way to do this is by recognizing legitimate provincial interests and supporting them.

To give clear and absolute self-determination to the provinces and their educational communications corporations and authorities would be an important first step. A second step would be a rpomise to consult with the province involved before any licence is granted for an educational broadcasting activity. Provincial governments need to be assured that no unilateral federal licensing will oblige them to support services they do not want or cannot afford.

One possibility would be to give the provinces the right to licence all educational broadcasting or communications activities, public or private, within their borders. there are at least two problems with doing this. One is that since almost any programming can be described as educational, an airtight definition would have to be written and agreed upon in order to distinguish jurisdiction and to stop applicants from playing off one jurisdiction against the other. This is not apt to be satisfactory. Secondly, to allow the existing communications authorities in the various provinces to determine in all circumstances what is an educational service and whether or not to licence it would be, in some cases, to force a conflict of interest. Like the CBC, prior to 1958, the authorities which are also corporations could be perceived to be limiting competition.

A reasonable compromise is to allow the provinces to determine all their own publicly funded educational communications activities and for the federal government to make sure they are not dragged into supporting a private sector "educational" service against their will. To do this the provinces may have to adopt the Quebec model of an independent body or authority adjudicating all educational communications services before they receive funding. This system is by no means perfect. It has created problems almost everywhere it has been tried. But at least the problems are provincial, not federal-provincial.

Another step in the process of federal compromise could be in the area of jurisdiction over cable, but only as a carrier, not as a programmer. Several provinces, de facto, control cable carriage anyway as an extension of their control of telephones. This would be a relatively simple extension of that reality. All program and so-called non-program services, with the single exception of educational communications financed by the provinces, should continue to require a federal licence whether or not a transmitter is used. The closed-circuit/broadcasting distinction should be laid to rest, at least as it refers to provincial/federal jurisdictions. Satellites, as interprovincial carriers, should remain under federal jurisdiction.

While all the provincial communications organizations in Canada share a common educational mandate, and while all employ electronic communications to reach their audiences, each tends to be quite distinctive. Some objectives emphasize culture while others emphasize economics. Developments such as the SCAN project in Saskatchewan may emphasize pure public access more than education. This is understandable since each reflects the interests and priorities of its own province. There was not, nor is there now, any single national plan governing the development and implementation of public-educational communications at the provincial level. Nor should there be. Such organization emerged from specific regional conditions. Just as each province tailors its educational and cultural agencies and programs to fit its needs so too does it tailor its communications organization. This regional distinctiveness should be recognized, valued and supported in federal communications policy. Canada is a community of communities, as well as a national community. Distinctive regional communications organizations and systems can complement and provide a firm foundation for national ones.

In general, the provincial organizations use the term educational communications or telecommunications to describe what they do. However, almost all are involved, to a greater or lesser extent, in "broadcasting" type activities. Even when no transmitter is used, television programs are transmitted electronically from an origination point to all or most of the households with cable, as well as to educational centres. Access to educational and cultural opportunities for all of the people is a major objective. While all talk of reaching specific audiences, or narrowcasting, and some provide very specific services, none of the organizations discount completely the general or open sector audience. With access and cost effectiveness, as well as regional economic development, increasingly important, this style of more "informal" educational programming can be expected to be an element in all the schedules. Even where the target audience for a full "learning system" may be quite specific, the television component of this system can be produced in such a way as to attract and benefit a general viewer. Because of this activity, and for the sake of a common understanding of at least a part of what they do, the provincial educational communications organizations may be described as public broadcasters. Developments such as the SCAN project in Saskatchewan may bring the provinces more into the support of broadcasting-type activities with no educational objectives at all.

They are, of course, much more than that. The various authorities and corporations share the further role of helping to coordinate and facilitate all or most of public educational communications within their provinces. Though the extent and emphasis varies, the corporations play an important role in the production, acquisition and distribution of educational materials which are not broadcast. These include audio-visual productions, print support materials, program listings, and audio or video tapes. Some are involved in the development and use of new technologies such as telidon and computers. Depending on individual provincial objectives and styles these more comprehensive educational telecommunications roles can also be expected to increase, particularly in support of regional economic objectives.

Another activity in support of regional economic, as well as cultural and educational, objectives which can be expected to increase is regional television and film production. Although the nature and extent of production activities vary tremendously from province to province, all are involved to some extent and most see this as a basic and important regional objective. Many provinces have established special funds in support of private sector production. Federal money from Telefilm Canada can now be used to invest in independent productions purchased by the educational communications corporations for broadcast on their systems. Some corporations tend to produce primarily in house, some spend their production dollars primarily in the private sector, others affect a balance. All see this as one of their most important activities.

While it is unreasonable to expect more than two or two and a half major production centres of excellence in Canada, it is not unreasonable to expect additional centres of varied calibre, some quite professional, in all regions of the country. This is all to the good and supportive of the critical mass of talent and facilities needed in any country to produce high quality material. The financial, and spiritual, commitment of the provincial governments is essential to make this happen. Federal communications policy should recognize and support provincial efforts in this regard. There are no federal-provincial jurisdictional issues to resolve on this subject. Regional objectives are clearly complementary to national objectives.

Moreso than a federal corporation, even with the best of intentions, a regionally based corporation is in the best position to produce programs which reflect that region's cultural, social, political, economic, and educational needs and interests. With adequate financing, these programs can be quite professional and attract substantial audiences. In addition, if given national distribution, they can contribute to national understanding and unity.

There is a national Association for Tele-Education in Canada (ATEC). It is made up of the four major provincial educational communications corporations which operate their own production and distribution systems, Radio-Quebec, TVOntario, ACCESS Network, and The Knowledge Network. The Association helps to facilitate, expand and improve the common objective of the corporations, which is the provision of educational opportunities via the use of electronic and associated media. The objectives of ATEC are to promote and advance the interests of each member and to establish relations with other national and international broadcasting organizations. As a national association it is possible sometimes for it to represent its members in ways that any one provincial organization could not do alone. For example, ATEC is an associate member of the European Broadcasting Union and is able to represent the interests of the provinces in educational television on the international scene. Within Canada, the Association provides a useful means of corporate communications as well as providing the opportunity for inter-agency cooperation in the production and acquisition of programs. In addition, through ATEC, the provincial corporations and authorities have a means of raising issues and channelling interests on the national scene.

It is probably fair to say that ATEC has been only partially successful in meeting its objectives and in benefitting in very practical ways its provincial components. It reflects general regional imbalances, differences and jealousies. However, it still has lots of potential and the need, as well as the opportunity, for regionally produced material to reach a national audience has never been greater. At least some of ATEC's problems in the past can be traced to the fact that the provincial communications corporations are inadequately funded to produce programs for their own markets let along getting involved in co-productions or clearing rights for national distribution. Also, their objectives are specifically provincial. While this is one of their strengths, it is not conducive to national cooperation.

A window of opportunity exists here for some creative federal involvement which would at one and the same time help improve the quality and quantity of regionally produced programming in support of both provincial and national objectives. Federal money would certainly be needed; perhaps also the participation of CBC and the NFB. The production and national distribution of informal educational programming could be the main objective, with the addition of learning systems where appropriate. All of the best programs produced by the provincial corporations and much of the best produced by the two national agencies are distinctly educational. The nationally produced programs need a re-play window. This programming could be distributed in the prime time schedules of the existing and developing provincial broadcasting services and/or via a new national satellite to cable television service. There could be a separate English language service, to balance the French language one being developed by Radio-Quebec or, at least in the beginning, such a service could be bi-lingual, involving the best programs produced in English and in French, provincially and nationally, anywhere in Canada.

In summary, new communications policy in Canada should:

- Recognize and support the distinctive, dynamic and developing educational communications organizations and activities in the provinces, and appreciate that education is not seen as a constraint or impediment to successful television or radio production and broadcasting. Indeed, the reverse is true.

- Understand the importance to the provinces of regional cultural, social, political, economic, as well as educational development, that a region's culture can be reflected best by people who live and work there, and that this is becoming an increasingly important role for public broadcasting at the provincial level.

- Appreciate the growing financial and spiritual support of the provinces for regional production and how this may, perhaps with some federal assistance, better meet national as well as provincial objectives.

- Facilitate and support the national distribution of the best Canadian programming produced in the regions by the provincial communications organizations.

- Permit the provinces and their educational communications corporations and authorities to be masters in their own houses when it comes to defining what is educational programming as well as the supervision and, where necessary, the licensing of publicly funded provincial educational communications services.

- Direct the Canadian Radio-Television and Telecommunications Commission to cooperate and consult with the provinces and their authorities to make sure that no private sector "educational" broadcasting service is licensed which would involve a province in a financial commitment it did not want or could not afford and to assure priority carriage on cable for the provincial public television and radio services whether or not these services use transmitters.

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